

KOLOK

a Division of Bidvest Paperplus (Pty) Ltd
(Registration no:1971/002971)

PROTECTION OF AND ACCESS TO PERSONAL INFORMATION MANUAL/NOTICE TO ALL DATA SUBJECTS

Drawn in terms of the Protection of Personal Information Act, No. 4 of 2013 (Government Gazette 37067 of 26 November 2013 and as amended) and Regulations (Government Gazette 42110 of 14 December 2018) and as amended POPI.

This Manual/Notice should be read in conjunction with Kolok's S 51 Manual in terms of the Promotion of Access to Information Act, 2 of 2000, available from Kolok or its website. See details hereinafter.

1. Juristic Person

Kolok is a Division of Bidvest Paperplus (Pty) Ltd (Registration No. 1971/002971/07) a wholly owned trading division of the Bidvest Group Limited (Registration No. 1946/021180/06).

The Chief Executive Officer of Kolok is:

Mr Allan Thompson.

31 Gold Reef Road

Ormonde Ext 32

Gauteng

2091

P O Box 4151

Johannesburg

2000

E-mail: allan@koloksa.co.za

Telephone: 011-248-0300

2. Introduction

Kolok is a consumables, hardware, large format, media, education, print and related supplies distributor.

We have a large customer and supplier base, employing approximately 300 personnel in RSA and Namibia. Accordingly, we collect, are provided with, and store personal information related to our employees, suppliers, customers, consultants, advisors, and other bodies with whom we are legally required and business-wise need to interact, e.g., RSA Government Departments, professional bodies.

This Manual/Notice does not in any way attempt to provide a comprehensive legal view, explanation or opinion of the Protection of Personal Information Act, No 4 of 2013 and its Regulations, hereinafter referred to as POPI, nor the Public Access to Information Act 2 of 2000 and as amended hereinafter referred to as PAIA.

It is a requirement at Law that such POPI Manual/Notice be available in a guidelines advised format.

Accordingly this Manual/Notice is drawn and published on our website: www.Koloksa.co.za to advise you of our obligations towards you as a “data subject” or possible “data Subject,” and any obligations you as a “data subject ’may have to us as Kolok and in terms of the various POPI/PAIA and related Laws as defined in POPI/PAIA and any Policies we may be required to draw and bring to your attention.

3. Purpose

The purpose of this Manual is:

- For purposes of POPI: detail, but not limited to, the purpose for which personal information may be processed; a description of the categories of Data Subjects for whom Kolok processes personal information, as well as categories of personal information relating to such Data Subjects; and the recipients to whom personal information may be supplied.
- For purposes of POPI/PAIA: the detail of the procedure that a Requestor for information is to follow and the manner in which a request for access shall be facilitated by Kolok and
- To comply with POPI and PAIA and its published Regulations relating to information held regarding employees and identifiable individuals/persons
- To comply with POPI, PAIA and any related Law/s in respect of data we hold about those defined. This includes possible non-RSA Law.
- Keep confidential and ensure safeguarding of data we hold relating to those defined in POPI and PAIA
- Protect Kolok and its employees from any consequence of a breach, or possible breach, of responsibilities in terms of POPI, PAIA and any related Laws.

NOTE:

- Any natural person, juristic person (which includes Kolok employees) may request detail of themselves held by Kolok. To do this, see details below.
- Terms and conditions including costs for such request/s are contained in the Kolok PAIA Section 51 Manual as required by POPI and PAIA and amendments thereto. See pertinent details hereinafter.

4. How to contact Kolok regarding POPI matters

The Principal Information Officer is:

Mr Louis Snyman, Executive: Finance, who has been appointed in terms of POPI by Mr Allan Thompson, CEO, and who can be contacted at Louis@koloksa.co.za or at listed contact address at 1. above.

In the first instance, all queries relating to POPI, must be addressed to Ms Shirmila Parbhoo, Deputy Information Officer, as appointed by Mr Louis Snyman in terms of POPI, at:

email: shirmila@koloksa.co.za
Office landline: 011-248-0300
Postal: P O Box 4151, Johannesburg, 2000
Street: 31 Gold Reef Road
Ormonde Ext 32
Gauteng
2091

5. RSA Constitutional Privacy

Kolok respects the privacy and related constitutional rights of everyone who visits our website and our premises. Accordingly, we inform you of the way we use your personal information.

We recommend you read this Kolok Manual/Notice and consent to it. By submitting your Personal Information to us, you will be treated as having given your permission – where necessary and appropriate – for any disclosures referred to in this Manual/Notice. By using this website, you acknowledge that you have reviewed the terms of this Manual/Notice and consent to our use of your Personal Information and agree that we may collect, use and transfer your Personal Information in accordance herewith.

If you do not agree to these terms, you may choose not to provide any Personal Information but this may impact on our ability to support you as an employee, customer or supplier, etc. This Manual/Notice and consent details form part of our Terms and Conditions of business and such shall be governed by and construed in accordance with the Laws of South Africa.

This Manual/Notice outlines how we obtain, use, disclose, process, and protect your personal information as required by POPI.

At Kolok we are committed to protecting your privacy impact and to ensure that your Personal Information is collected and used properly, lawfully, openly, secured, and only used in terms of POPI and RSA accepted international Law.

6. Personal Information

“personal information,” as defined in POPI, Chapter 1, Definitions at page 14 (English language) means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including but not limited to: See definition at page 14 for full definition in the POPI Act, Government Gazette 37067.

Further see, Chapter 3, pages 22 to 46 of the Protection of Personal Information Act No 4 of 2013, published in Government Gazette 37067 of 26 November 2013 details at Part A, 8 (eight), Conditions for the Lawful processing of personal information and see Part B and Part C. They are:

Part A

- 1 – **Accountability.** Kolok to ensure compliance with all prescribed measures.
- 2 – **Processing limitation** – i.e., Lawfulness of processing, Minimality, Consent, Justification and objection, collection directly from data subject
- 3 – **Purpose specification** – Collection for specific purposes. Retention and restriction of records
- 4 – **Further processing limitation** – further processing to be compatible with purpose of collection
- 5 – **Information quality** – Quality of information
- 6– **Openness** – Documentation, Notification to data subject when collecting personal information

7- **Security safeguards** – Security measures on integrity and confidentiality of personal information, information processed by operator or person acting under authority, security measures regarding information processed by operator. Notification of security compromises.

8- **Data subject participation** – Access to personal information, correction of personal information, manner of access.

Part B

- Prohibition on processing of special personal information
- General authorisation concerning special personal information.
- Authorisation concerning data subject's political persuasion.
- Authorisation concerning data subjects religious or philosophical beliefs.
- Authorisation concerning data subjects' race or ethnic origin.
- Authorisation concerning data subjects trade union membership.
- Authorisation concerning data subject's political persuasion.
- Authorisation concerning data subject's health or sex life.
- Authorisation concerning data subject's criminal behaviour or biometric information

Part C.

Deals with the prohibition on processing personal information of children

Child means a natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning himself or herself.

7. Collection of Personal Information

Kolok collects and only where necessary processes personal information collected directly from clients, suppliers, employees and others required by RSA Law in order to comply with the Laws of RSA and to comply with the needs of Kolok to fully and properly operate in such a manner as to provide a superb service.

Much of the information collected is mainly to provide those with whom we interact with a route to be informed of our products and related services.

The type of Information Kolok collects depends on the purpose it is collected for and used, e.g. applicants for employment, suppliers, customers, service providers such as specialist consultants, advertising agents, legal assistance providers, Government Departments and others only vitally necessary to operate a legally compliant and excellent service/product supplier.

Examples of personal information we may collect are:

- Names – business, personal, employees and immediate family
- Address – street, etc.
- E-mail address/es
- Cell number/telephone number
- Post Box address
- Identification Number/Passport details
- Details of your personal referees
- With your consent, we may supplement information you have willingly provided to us with other information available to us from other bodies in our industry or those of our owner or Press/social media, with only a view to providing a unique, more personalised, consistent, experience service relating to your interactions with Kolok, its staff and suppliers.

It is important to accept that Kolok does not use internet cookies i. e. text files, user name/s, password/s, which are used to identify computer/s, computer or other search/store facilities, network/s, nor does Kolok make use of HTTP cookies.

8. How we use your information

We will use your information, both personal and non-personal as supplied by you or otherwise collected as detailed in this Manual/Notice, only for the purpose/s for which it was collected/agreed with you: e.g.:

- To carry out our obligations arising from any contracts entered into between ourselves
- To assist Kolok to increase its sales of products to benefit you as a customer, supplier or other party who may benefit from our services
- For RSA and other legal, audit and record keeping purposes
- To confirm and verify your/the juristic person identity or to verify that such are properly authorised suppliers for security purposes
- To assist with business development, as envisaged and planned, to overcome the disastrous consequences of COVID-19 and assist RSA Government to achieve its plans and efforts to restore the RSA economy, related employment issues and other published targets
- Analyse the effectiveness of our advertising, competitions, incentives promotions and offer an opportunity to take part in competitions or promotions
- Matters in connection with legal proceedings
- Suggest products or services we can offer which we think may be of value to you or your business or friends. This is subject to you having given us consent to do so, or you have previously requested a product or service from us, and it is relevant or related to that prior request made within the timeframes established.
- Your personal information may also be used to comply with legal and regulatory requirements on industry codes which may apply to us or to which we subscribe e.g., Broad-Based Black Economic Empowerment legislation, Waste Management, Employment Equity, etc.
- To advise you about changes to our businesses and/or our services
- To properly respond to any queries or comments
- Where we collect any personal information for a specific purpose, Kolok will not keep it for any longer than is necessary to fulfil such purpose or as required by Law.

- To protect collected information from accidental or malicious destruction, when we delete any information, we hold from our services we may not always immediately delete residual information from our records or back-up systems
- As a party to Kolok including supplying personal information to us, or Kolok having obtained other information about you, you can opt out of receiving communications from us at any time.

Any information we forward to you, including direct marketing communication, will provide you with the necessary information and means you require to opt out.

9. Possible disclosure of Personal Information

In the interests of the parties we have relationships with, we may find it advantageous to you and Kolok, who are involved in the delivery of products or services to a “data subject” to disclose some of your personal information.

However, it will only be disclosed to our business partners with which we have agreements in place to ensure that they comply with the privacy terms and conditions of POPI.

10. Security of your Personal Information

In terms of POPI and related Law/legal obligations we are obliged to provide genuine and legally acceptable protection to you for the personal information we hold in our records, and to attempt to stop unauthorised access and use of personal information,

Kolok undertakes to provide adequate protection of any personal information relating to data subjects to which it holds and to prevent unauthorised access and use of personal information.

Kolok will, on an on-going basis continue to review its security controls and related processes to ensure that any personal information it stores is secure. Kolok security policies and procedures, but not limited to, cover:

- Secure communications
- Physical security
- Acceptable usage of personal information as required by POPI
- Governance and regulatory issues
- Monitoring and reacting to all alleged security incidents
- Security in contracting out activities, advertising, functions, marketing, campaigns, promotions, and provable related exercises to develop accepted business activity
- Computer related network security
- Monitoring of and access to usage of Kolok stored personal information
- Retention and disposal of all prescribed POPI information

11. Third Parties

Where Kolok contracts with third parties it imposes suitable and appropriate security, privacy, confidential and other POPI required obligations to ensure that personal information it holds is kept secure.

12. Access of your Personal Information held by Kolok

You have the right to request a copy of any personal information we hold about you.

In order to request such information relating to the personal information we hold, contact Kolok at the details contained at Point 4 above, or on our Webpage www.koloksa.co.za.

Please specify in detail what information you require.

Kolok reserves the right to confirm your details including personal details, before providing to you the details of the personal information requested from Kolok.

NOTE:

Any such access request may be subject to a legally allowable fee as stipulated in PAIA and as amended.

13. Changes by you of Personal Information held by Kolok

All connected parties, in terms of POPI, have the right to request from Kolok the correction or alteration of personal information to update, correct or delete such data Kolok holds

- Kolok will undertake all reasonable steps to confirm your identify before making any changes to its collected and stored personal information it holds.
- It is necessary and a requirement of our business relationship that all parties included in Kolok’s relationship in terms of POPI, notify each other of any relevant changes to any of their personal details illuminated in the POPI, PAIA legislation

14. Retention of data/personal information

The POPI Act at Condition 3 clauses 13 and 14 page 26, details procedures regarding “Collection for specific purpose” and “Retention and restriction of records.”

Kolok complies fully with such. In addition, there are many RSA Acts e.g., Health and Safety, BCOEA, EEA, LRA, Income Tax, Companies Act, CPA etc. in force which detail for how long records must be kept. Kolok complies fully with such.

Kolok will continue to hold/retain any data submitted to it or collected by it which is in compliance with POPI and any related other applicable relation for as long as is necessary in Kolok’s opinion, legal advice, or Laws of RSA.

15. ADM

Kolok has not and does not make use of Automated Decision Making in relation to any personal data held by it.

16. Objection Rights

POPI, at Condition 6 (Openness Documentation) section 18 (h) (IV) expresses the right for any Kolok connected party/data subject to object to the processing of any information Kolok holds as referred to in section 11 (3) of POPI.

The rights to lodge a complaint, in terms of POPI, are contained in POPI at more than one place, see Government Gazette 37067 and as amended and as published on 26 November 2013 plus amendments thereto and the Regulations relating to the protection of personal information in Government Gazette 42110 of 14 December 2018.

17. Categories of records held

- **Incorporation documents, records, and licences.**
- **Financial documents and records** e.g., invoices, banking records, annual financial statements, tax.
- **Operational documents and records** e.g., correspondences with customers, data base of customers, price lists.
- **Personnel documents and records** e.g., employment contracts, disciplinary and counselling records, retirement fund details, medical aid details.
- **Safety records as required by Occupational Health and Safety legislation.**
- **Information and technology records** e.g., software programmes.
- **Records required by legislation** e.g., Basic Conditions of Employment Act 75 of 1997, Occupational Health and Safety Act 85 of 1993, Employment Equity Act 55 of 1998, Income Tax records.

(Reference to the above-mentioned category of legislation includes amendments, if any, to such legislation held)

- **Other party records** e.g., records held pertaining to other parties such as financial records, correspondences, contractual and transactional records where they may have been provided by other such parties.

18. Description of Categories of Data Subjects

Kolok may hold information and record information relating to the following broad categories of data subjects or persons, which list is not limited to:

- Employees/job applicants/learnership candidates/ bursary applicants/ directors/learners/agents/sponsors
- Customers and clients
- Contractors/vendors/suppliers/service providers/operators etc., and their/Kolok's business partners whether acting on behalf of the companies or not or those that provide services, goods and other benefits to the companies such as medical service providers, banks, pension and provident funds, administrators, service providers, insurance companies, advertising, marketing or PR agencies, wellness, or health providers
- Regulators and Public Bodies who Kolok may engage with to discharge legal and public duty obligations, including SARS, National Treasury, Department of Labour, and the financial sector conduct authorities

19. Storage and Retention and Destruction of Information

- Kolok will ensure that any Data Subject's Personal Information is securely stored electronically, which for operational reasons, will be accessible to certain categories of authorised persons on a need to know and business basis, save that where appropriate, some of the Data Subject's Personal Information may be retained in hard copy and stored securely.
- All such Personal Information will be held and / or stored securely. In this regard Kolok will ensure that it performs regular audits regarding the safety and the security of all Data Subject's Personal Information.
- Appropriate technical and organisational measures will be taken by Kolok to ensure that Personal Information remains confidential and secure against unauthorised or unlawful processing and accidental loss or destruction or damage.
- Once the Data Subject's Personal Information is no longer required because the purpose for which the Personal Information was held has come to an end and expired, such Personal Information will be safely and securely archived for the required prescribed periods or longer should this be required by Kolok. Kolok thereafter will ensure that such Personal Information is permanently destroyed.

20. Security Compromises

Security compromises are detailed in the POPI Act at clause 22 “Notification of security compromises” page 34.

This section deals with the procedure to be followed when there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person/s.

21. Access by others and Cross Border Transfer

Kolok may from time to time have to disclose a Data Subject’s Personal Information to other parties, including organs of state, other departments or subsidiaries, product or third party service providers, regulators and or governmental officials, overseas service providers and agents, but such disclosure will always be subject to an agreement which will be concluded between Kolok and the party to whom it is disclosing the Data Subject’s Personal Information to, which contractually obliges the recipient of this Personal Information to comply with strict confidentiality and data security conditions.

Where Personal Information and related data is transferred to a country which is situated outside the borders of South Africa, the Data Subject’s Personal Information will only be transferred to those countries which have similar data privacy laws in place or where the recipient of the Personal Information is bound contractually to a no lesser set of obligations than those imposed by POPI.

22. Request Procedure:

POPI provides that a Data Subject may, upon proof of identity, request Kolok to confirm, free of charge, all the information it holds about the Data Subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

Where a Data Subject is desirous of obtaining details of the Personal Information which Kolok may hold and which pertain to it, then it must make application as described at point 4 on page 3 of this Manual/Notice.

POPI provides that a Data Subject may object, at any time, to the Processing of personal information by Kolok, on reasonable grounds relating to his/her particular situation, unless legislation provides for such Processing.

To object the Data Subject must complete the standard “Objection” (Form 1) in the POPI Regulations and submit it to the Kolok Information Officer at the postal or physical address or electronic mail address set out in section 4 of this Manual/Notice.

A Data Subject may also request Kolok to correct or delete personal information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or destroy or delete a record of personal information about the Data Subject that Kolok is no longer authorised to retain in terms of POPI's retention and restriction of records provisions.

A Data Subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address or electronic mail address set out in section 4 of this Manual on the standard “Rectification” (Form 2) in the POPI Regulations.

23. Complaints relating to POPI

Any person or juristic body etc. has a right to lodge a business or personal information alleged infraction against Kolok in terms of the POPI legislation.

Such complaint, may also be lodged to:

The Information Regulator
33 Hoofd Street
Forum 111, 3rd Floor Braampark
Gauteng
or
P O Box 31533
Braamfontein
Johannesburg
2107

Attention:

Chief Executive Officer:

Telephone: +27 (011) 877 3600

Fax: +27 (11) 403 0625

24. Changes to this POPI Manual/Notice

This Manual/Notice was last updated in June 2021.

Kindly note, we may amend this Manual/Notice, document and related advices contained herein from time to time.

Kindly, please check our website at www.koloksa.co.za to be advised and inform yourself, business etc. of any changes to this specific document/Manual/Notice.

25. Contact Details

See 4 above.

Firstly, Ms Shirmila Parbhoo (effective 1 May 2021 until further notice.)

The above contact details relate to any queries about this Manual/Notice and actions you believe have not been adhered to, or you have need to any further information about Kolok's privacy policies or practices, or you may wish to give or withdraw consent, exercise your preferences, access your personal information, correct personal information etc.

26. Closing Manual Statement

The privacy of everyone who visits our Website at www.koloksa.co.za or receives/ obtains a copy of this Kolok POPI Manual/Notice or provides personal information to Kolok, is fully respected.

Kolok recommends that recipients, visitors to our Webpage, interaction with our staff, customers, suppliers, or others who have been shown a way to obtain this POPI Manual/Notice, we as Kolok recommend that you read this Privacy Policy Manual/Notice drawn in terms of POPI and consent that you understand our approach to POPI.

By submitting your personal information to us, you will be treated as having given your permission – where necessary, and appropriate – for disclosures referred to in POPI and this Manual/Notice.

By using our Webpage/site, you acknowledge that you have reviewed the terms and conditions of this Kolok Manual/Notice, the full provisions of POPI and Regulations of POPI and accordingly agree that we as Kolok may collect, use and transfer your personal information in accordance with POPI and this Kolok POPI Manual as required.

Should you not agree with these POPI, Kolok Manual/Notice terms and or conditions you may choose not to provide any personal information.

Please accept such refusal is your POPI enforced right but may impact on our ability to support you as a prospective employer, employee, supplier or possible person/business which Kolok could assist you to develop in/at your unit. This Manual/Notice forms part of our Terms and Conditions of your use of our services and such will be governed by and construed in accordance with the Laws of RSA.

Please consider, in relation the above, Kolok is legally obliged to provide fair, reasonable and adequate protection for POPI requirements.

We guarantee that we shall, on an on-going basis, continually review our privacy and related security systems, controls, and related processes to ensure the best security for and of your personal information.

Reminder: See Point 2 on page 2 paragraph 3.

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