

***RAILWAY FURNISHERS PTY LTD***

**THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (“POPI”)**

**POPI MANUAL**

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## 1. INTERPRETATION OF THE MANUAL

- 1.1 This manual should be interpreted in conjunction with the provisions of the Protection of Personal Information Act 4 of 2013 ("**POPIA**"). Furthermore, cognisance must be taken in regard to the provisions and requirements of the Promotion of Access to Personal Information Act 2 of 2000 ("**PAIA**").

## 2. AIM OF THE MANUAL

- 2.1 The aim of this manual is to address the requirements as set out in the POPIA which provides for the lawful and fair processing of personal information, in accordance with the right to privacy as entrenched in section 14 of the Constitution of the Republic of South Africa, 1996 ("**The Constitution**").

## 3. DETAILS OF THE COMPANY

- |     |                                  |  |
|-----|----------------------------------|--|
| 3.1 | Full name :                      | Railway Furnishers Pty Ltd   |
| 3.2 | Registration No. :               | 1961/002488/07   |
| 3.3 | Physical address (Head Office) : | 387 Maltzan Street, Pretoria West  |
| 3.4 | Telephone :                      | 012 327 3530   |
| 3.5 | Website :                        | <a href="http://www.railwayfurnishers.co.za">www.railwayfurnishers.co.za</a> |
| 3.6 | Email :                          | <a href="mailto:popi@railfurn.co.za">popi@railfurn.co.za</a>                 |

## 4. DETAILS OF THE INFORMATION OFFICER OF THE COMPANY

- |     |                 |  |
|-----|-----------------|--|
| 4.1 | Full Name:      | Antoinette Joubert   |
| 4.2 | Email Address:  | <a href="mailto:popi@railfurn.co.za">popi@railfurn.co.za</a> |
| 4.3 | Contact Number: | 012 327 3530 - Ext 177                                       |

## 5. COLLECTING AND PROCESSING INFORMATION

- 5.1 Chapter 3, as well as Section 4 of POPIA provides for the minimum conditions that are required for the lawful processing of personal information by a Responsible Party. There are 8 minimum conditions, namely:

- 5.1.1 accountability;
- 5.1.2 processing limitations;

- 5.1.3 purpose specification;
  - 5.1.4 further processing limitation
  - 5.1.5 information quality;
  - 5.1.6 openness;
  - 5.1.7 security safeguards; and
  - 5.1.8 data subject participation.
- 5.2 These minimum conditions may not be departed from unless specific provisions or exclusions apply, as highlighted in POPIA.
- 5.3 In order to carry out the everyday tasks and obligations of its business, Railway Furnishers processes personal information relating to both individual and juristic persons.
- 5.4 The manner in which this information is processed and the purpose for which it is processed is determined by Railway Furnishers. Railway Furnishers is therefore termed a "Responsible Party" for the purposes of POPIA and will ensure that the personal information of a Data Subject is processed and protected in accordance with POPIA.

## **6. CATEGORIES OF DATA SUBJECTS**

- 6.1 In terms of Section 1 of POPIA, a "Data Subject" is defined as being either a natural or a juristic person.
- 6.2 For the purposes of this manual, the categories of Data Subjects that Railway Furnishers may collect personal information from include:
- 6.2.1 Consumers;
  - 6.2.2 employees;
  - 6.2.3 directors;
  - 6.2.4 agents;
  - 6.2.5 financial institutions;
  - 6.2.6 suppliers;

6.2.7 any other third party vendor, business or organisation who provides Railway Furnishers with a product or service.

## **7. CATEGORIES OF PERSONAL INFORMATION THAT MAY BE COLLECTED**

7.1 Personal information that may be collected from any of the abovementioned parties by Railway Furnishers, subject to their role and relationship with Railway Furnishers, includes:

7.1.1 full names;

7.1.2 contact details (inclusive of email addresses, phone numbers, and physical addresses);

7.1.3 credit information;

7.1.4 banking details;

7.1.5 employment history (inclusive of prior employment contracts);

7.1.6 educational and training history;

7.1.7 disciplinary proceedings;

7.1.8 criminal history;

7.1.9 medical aid and pension fund records;

7.1.10 identity number (inclusive of identity books and passports;)

7.1.11 age;

7.1.12 gender;

7.1.13 nationality;

7.1.14 language;

7.1.15 online appraisals, reviews and recommendations;

7.1.16 any other information that may be required by Railway Furnishers in order to carry out its operations, and comply with its obligations in the ordinary course of business.

## **8. PURPOSE OF PROCESSING PERSONAL INFORMATION**

- 8.1 Section 13 of POPIA provides that personal information must be collected for a “*specific, explicitly defined and lawful purpose related to a function or activity of the Responsible Party.*”
- 8.2 In accordance with Section 13 of POPIA, Railway Furnishers will process personal information for the purposes of:
- 8.2.1 performing its duties and meeting the obligations and requirements of any agreement or contract between itself and a client or third party;
  - 8.2.2 the management of the administrative and accounting practices carried out in the ordinary course of business;
  - 8.2.3 employee recruitment processes;
  - 8.2.4 sale and credit application procedures;
  - 8.2.5 product improvement;
  - 8.2.6 marketing and statistical purposes (inclusive of social media marketing, SMS communication, email communication and telephonic communication);
  - 8.2.7 payment processes;
  - 8.2.8 security and software protocol;
  - 8.2.9 statutory requirements;
  - 8.2.10 any other purpose that may be relevant in order to successfully conduct the business activities of Railway Furnishers.
- 8.3 Railway Furnishers commits to informing all of its Data Subjects of the purpose for which their personal information is collected, processed and stored in accordance with Section 18 of POPIA.

## **9. RECIPIENTS OF PERSONAL INFORMATION**

- 9.1 The recipients to whom Railway Furnishers may provide a Data Subject's personal information to include:

- 9.1.1 governmental authorities if by law, Railway Furnishers is obliged to share such information;
- 9.1.2 any organisation through which Railway Furnishers implements its payment processes;
- 9.1.3 any financial institution from which payment is received on behalf of an employee, client, organisation, or firm by Railway Furnishers;
- 9.1.4 any organisation through which Railway Furnishers conducts its day to day transactions, administration, sale, credit, and account operations;
- 9.1.5 any employee, director or agent who is employed or who acts on behalf of Railway Furnishers;

## **10. CROSS-BORDER TRANSFER/FLOW OF PERSONAL INFORMATION**

- 10.1 Railway Furnishers does not transfer personal information to any region outside of the Republic of South Africa.
- 10.2 Subject to a change in contents of section 6.2, Railway Furnishers will process and transfer personal information in accordance with section 72 of POPIA.
- 10.3 Section 72 of POPIA provides that personal information may only be transferred outside of the Republic of South Africa if the recipient organisation of the information is able to successfully implement, and maintain a similar and "adequate level" of protection over the information that is transferred and subsequently received by it.
- 10.4 Personal information may be transferred to a region outside of the Republic if:
  - 10.4.1 The transfer of the aforementioned personal information is necessary for the purposes of upholding a contractual obligation and;
  - 10.4.2 the data subject to whom the personal information relates, provides consent for the personal information to be transferred outside of the Republic.
- 10.5 If it is likely that the Data Subject to whom the personal information relates will give their consent to the transfer of personal information, obtaining such consent is not necessary as outlined in section 72(e)(ii) of POPIA.

## **11. SECURITY MEASURES IMPLEMENTED**

11.1 Section 19 of POPIA states that a Responsible Party must “*secure the integrity and confidentiality of personal information...*”

11.2 In order to ensure that the personal information processed by Railway Furnishers is secured, Railway Furnishers provides for and further implements security measures such as password protected software systems, regular checks and upgrades on the relevant software systems, and prevention of unauthorised access, alteration or processing of personal information by another party.

## **12. PROCESSING OF PERSONAL INFORMATION: OBJECTION BY THE DATA SUBJECT**

12.1 Section 11(3) and 11(4) of POPIA allow for a Data Subject to object, at any time, to their personal information being processed.

12.2 In accordance with the provisions set out in Section 11(3) and (4) of POPIA, Railway Furnishers will, as soon as is reasonably practicable, desist from processing the personal information of a Data Subject if and when they do so communicate such a request to Railway Furnishers.

12.3 A Data Subject must, as per the procedure set out on the Railway Furnishers website, inform Railway Furnishers that they do not wish to have their personal information processed any longer.

## **13. REQUEST FOR THE CORRECTION OR DELETION OF PERSONAL INFORMATION BY THE DATA SUBJECT**

13.1 Section 24 of POPIA provides that a Data Subject may request that their personal information be:

13.1.1 corrected; or

13.1.2 deleted

if that personal information is “*inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully.*”

13.2 In accordance with Section 24, Railway Furnishers will, as soon as is reasonably practicable, correct or delete the personal information of a Data Subject if and when they do so communicate such a request to Railway Furnishers.



- 13.3 A Data Subject must, as per the procedure set out on the Railway Furnishers website, inform Railway Furnishers that they wish to have their personal information amended or corrected.
- 13.4 Railway Furnishers commits to providing the Data Subject with evidence proving that the personal information of the Data Subject has been corrected or deleted in accordance with Section 24(2)(c).

#### **14. UPDATING OF THIS MANUAL**

Railway Furnishers may update this manual every year, or within a time period necessary for its successful implementation.