



GIBELA RAIL TRANSPORT CONSORTIUM RF (PTY) LTD PRIVACY NOTICE

(issued in terms of section 5(a)(i) and 18 of the Protection of Personal Information Act, No 4 of 2013)

1. INTRODUCTION

- 1.1 Gibela values your privacy and wants to be transparent on how your Personal Information will be processed when interacting with you. With this Privacy Notice, Gibela informs you and provides you with an overview of how it will process your Personal Information and by doing so Gibela is fulfilling its notification obligation in terms of the Protection of Personal Information Act 4 of 2013 ("POPIA").
- 1.2 Gibela is committed to manage and process your Personal Information in accordance with its Data Protection and Privacy Policy and the applicable privacy and information protection law provisions, which specifically provides for the lawful, fair and transparent processing of your Personal Information for specified, explicit and legitimate purposes in a reasonable manner that does not infringe on your right to privacy.

2. ABOUT US AND HOW TO CONTACT US

Responsible Party: Gibela Rail Transport Consortium RF (Pty) Ltd

Physical Address: 2 Shosholoza avenue, Dunnottar, Ekurhuleni

Telephone: +27 (0)10 600 0651

Email: info.legal@Gibela-rail.com

Website: <https://www.gibela-rail.com>

3. COLLECTION OF PERSONAL INFORMATION

- 3.1 Personal Information is information which relates to an identified or identifiable natural person or a juristic person, by means of an identifying factor and subject to the applicable data protection laws. The Personal Information collected and processed by Gibela may differ depending on purpose of collecting and processing your personal information. Gibela may collect or obtain Personal Information about you, not limited to the following instances:

- directly from you;
 - in the course of our relationship with you;
 - when you make your Personal Information public;
 - when you visit our offices;
 - when you visit and/or interact with Gibela on our website, emails or our various social media platforms;
 - in the course of providing services to you or your organisation;
 - from persons and entities employed by Gibela to provide services to Gibela which may be legally entitled to provide Gibela with Personal Information;
 - Gibela may also receive Personal Information about you from third parties (eg, law enforcement authorities; credit bureaus).
- 3.2 In addition to the above, the Gibela may create Personal Information about you such as records of your communications and interactions with us, including, but not limited to, your attendance at events or at interviews in the course of applying for a job with us.

4. CATEGORIES OF PERSONAL INFORMATION TO BE PROCESSED

- 4.1 Gibela may process the following categories of Personal Information about you, without limitation:
- personal details: name and photograph;
 - demographic information: gender; date of birth / age; nationality; salutation; title; and language preferences;
 - identifier information: passport or national identity number;
 - contact details: correspondence address; telephone number; email address; and details of your public social media profile(s);
 - attendance records: details of meetings and other events organised by or on behalf of Gibela that you have attended;
 - consent records: records of any consents you may have given, together with the date and time, means of consent and any related information;
 - employment details, -history, qualifications, and designations;
 - educational details, including student number, educational establishment, dates of study, subject studied, exam results, student training records, awards etc.

- payment details: billing address; payment method; bank account number or credit card number; invoice records; payment records; SWIFT details; IBAN details; payment amount; payment date; and records of cheques;
- data relating to your visits to our Website: your device type; operating system; browser type; browser settings; IP address; language settings; dates and times of connecting to a Website; and other technical communications information;
- complaints and disciplinary records;
- video and voice recordings;
- company details;
- details of membership or other professional bodies;
- any other information which Gibela may, in order to conduct its primary and secondary objectives, be required to process.

5. SPECIAL PERSONAL INFORMATION

- 5.1 Where Gibela needs to process your Special Personal Information, Gibela will do so in the ordinary course of business, for a legitimate purpose, and in accordance with applicable laws. Special Personal Information includes but not limited to information relating to, health; criminal behaviour; personal information of children; biometric and race or ethnic origin.

6. USE OF YOUR PERSONAL INFORMATION

- 6.1 Gibela collects and processes Personal Information for the below purposes, including but not limited to:
- the purpose of providing any services or products to the Data Subject from time to time;
 - the purposes of receiving services or products provided by the Data Subject from time to time;
 - the Data Subject is an employee, in the course and scope of employment by Gibela;
 - respond to any correspondence that the Data Subject may send to Gibela, including via e-mail or by telephone;
 - such other purposes to which the Data Subject may consent from time to time; and
 - such other uses authorised in terms of applicable laws.

7. SHARING OF PERSONAL INFORMATION

- 7.1 Gibela may disclose your Personal Information to third-party service providers if:
- Sharing is necessary to fulfil certain conditions, e.g. applications for training agreement, membership, recruitment,

- Sharing is required by law;
- Sharing protects your legitimate interest;
- Sharing is necessary for pursuing our or a third parties to whom the information is supplied legitimate; and/or
- Sharing was agreed to by you (or a competent person where you are a child) in the form of a consent.

8. PERSONS WHO WILL ACCESS YOUR PERSONAL INFORMATION

8.1 Gibela's employees will have access to your Personal Information to administer and manage our inclusive services and our various stakeholder relationships. Your personal information will further be shared with third parties, subject to the purpose of us collecting and processing your information, including but not limited to:

- To the divisions and entities in Gibela, including directors, contractors, agents, auditors, legal and other professional advisors who are authorised to process this information;
- Service providers;
- To any person who acts as legal guardian, executor of an estate, curator or in a similar capacity;
- Oversight and other regulators, professional bodies and statutory bodies;
- Our Board and sub-Board Committee;
- Other Committee members;
- Government agencies; and
- Law enforcement, e.g. SAPS

9. PROTECTION OF YOUR PERSONAL INFORMATION

9.1 Gibela will take the necessary steps to secure the integrity and confidentiality of personal information in its possession and under its control by taking appropriate, reasonable technical and organisation measures to prevent loss of, damage to or unauthorised destruction of your personal information and unlawful access to or processing of personal information, regardless of the format in which it is held.

9.2 Where there are reasonable grounds to believe that your Personal Information that is in our possession has been accessed or acquired by any unauthorised person, Gibela will notify the relevant regulator and you, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs us that notifying you will impede a criminal investigation.

10. DATA RETENTION

- 10.1 Gibela shall only retain and store Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

11. DATA ACCURACY

- 11.1 Gibela will ensure that all Personal Information is kept as accurate, complete and up-to-date. Should Personal Information change, the onus is on the provider of such data to notify Gibela of the change and provide Gibela with the accurate data.

12. YOUR LEGAL RIGHTS

- 12.1 You may have rights under the South African and other laws to have access to your Personal Information and to ask Gibela to rectify, erase and restrict use of, your Personal Information. You may also have rights to object to your Personal Information being used, to ask for the transfer of Personal Information you have made available to us and to withdraw consent to the use of your Personal Information.

13. TRANS-BORDER INFORMATION FLOWS

- 13.1 Gibela may also send Personal Information to a foreign jurisdiction outside of the Republic of South Africa in order to achieve the purpose for which the Personal Information was collected and processed, including for processing and storage by third party service providers. When Personal Information is transferred to a jurisdiction outside the Republic of South Africa, Gibela will obtain the necessary consent to transfer the Personal Information to such foreign jurisdiction or transfer the Personal Information without the necessary consent where Gibela is permitted to do so in accordance with the laws applicable to the trans-border flows of Personal Information under the POPIA.

14. COOKIES

- 14.1 Gibela may process your Personal Information by our use of Cookies. Cookies are small text files sent by a web server to store on a web browser. They are used to ensure websites function properly, store user preferences when needed and collect anonymous statistics on website usage. When you visit our Website we may place Cookies onto your device, or read Cookies already on your device, subject always to obtaining your consent, where required, in accordance with applicable law. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of the Website. Unless you

have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to the Website. If you accept a cookie or fail to deny the use of cookies, you agree that we may use your personal information collected using cookies.

15. CHANGES TO DATA PROTECTION NOTICE

- 15.1 Gibela will review this Privacy Notice and may amend or supplement this Notice from time to time, in accordance with regulatory changes, business strategies and new technology introduced into our operations. We will publish an updated version of this Notice, as and when amendments or supplements have been made on our website.

16. CONTACT DETAILS

- 16.1 You may address all your enquiries, requests and/or concerns regarding this Notice or relating to the processing of personal information to info.legal@Gibela-rail.com.