

POPI MANUAL



The Manual is prepared in line with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (“PAIA”).

The Emkei Holdings group divisions (the divisions are listed below) use personal information for purposes of investing, managing and administering investments for, as well as concluding agreements with, clients.

Personal information, as defined in the Protection of Personal Information Act, No.4 of 2013 (“POPI”) is used in the day to day operational processes, employment processes including recruitment, employment contracts, employment equity, medical aid, pension/provident fund, disciplinary actions, performance management, benefits and remuneration, training, SETA records or other employment-related requirements.

From time to time, Emkei Holdings (Pty) Ltd divisions (sometimes referred to as “Emkei Holdings” in this manual) may process personal information as part of standard business operations, including audits, reviews, market research, product development, and other legitimate business purposes.

Emkei Holdings group divisions also process personal information when required to under any other laws or regulations, including for the purposes of market conduct oversight by an authorised body, law enforcement, investigations, prevention of terrorist activities, anti-money laundering, or other events which may be in the public interest.

The Emkei Holdings group divisions’ Legal Department will attend to all matters pertaining to PAIA.

The Manual prepared under section 51 of PAIA for the following Emkei Holdings group divisions:

- EMKEI HOLDINGS Media
- EMKEI HOLDINGS Logistics
- EMKEI HOLDINGS Telecommunications and Information Technology
- EMKEI HOLDINGS Events Management
- EMKEI HOLDINGS Business Consultancy and Advisory Services
- EMKEI HOLDINGS Fashion and Clothing

INTRODUCTION TO GROUP DIVISIONS

The Emkei Holdings group is the holding company of the various EMKEI HOLDING group divisions:

- **EMKEI HOLDINGS Media:** TV and Video Production.
- **EMKEI HOLDINGS Logistics:** Transportation and Trucking services with trucking access from 1.2 ton trucks to 34 ton cross border.
- **EMKEI HOLDINGS Telecommunications and Information Technology:** Technical IT Support Service, Soft – and Hardware IT Advisory Systems
- **EMKEI HOLDINGS Events Management:** Africa Music Festival is an annual music festival. A celebration of music, culture, visual and performing arts by the best in Africa. The aim is to make this an annual event which caters for the continent of Africa. Hosted and organized by the inhabitants of this continent for its people.
- **EMKEI HOLDINGS Business Consultancy and Advisory Services:** Coaching and Mentoring, Business Development
- **EMKEI HOLDINGS Fashion and Clothing:** Fashion Brand, Corporate Branding, Graphic Designing, Image Consulting

PARTICULARS IN TERMS OF SECTION 51

This manual has been compiled in line with PAIA and applies to all the identified divisions.

PAIA is a national legislation giving the requesters of information, requesting information from public, private (e.g. the Emkei Holdings group of companies) and government institutions the procedure to follow to get access, subject to a number of conditions, to records held by such bodies. In the case of Emkei Holdings, requests by third parties

(including our clients) for information held by any of the Emkei Holdings group companies will be dealt with according to the manual and any other handbook or policies and procedures documentation developed for PAIA purposes.

The manual is applicable to all Emkei Holding group companies and contains the details of the types of records kept by the Emkei Holdings group companies. The manual is available for inspection at the offices of Emkei Holdings

at 66 Marshall Street, Johannesburg, 2001 as well as on the EMKEI HOLDINGS website – www.emkeiholdings.com.

1. Contact details

Emkei Holdings' legal department will deal with all requests relating to any of the Emkei Holdings group companies. All requests for information in terms of the manual should be directed to:

Information Officer

Information Officer
Emkei Holdings
66 Marshall Street
Johannesburg, 2001
South Africa
Email: popi@emkeiholdings.com

2. The section 10 Guide on how to use the Act

Should you require greater clarity on or assistance with PAIA, we refer you to the guide that was published by the South African Human Rights Commission ('SAHRC') under section 10 of PAIA. The guide includes:

- a. what the objects of PAIA are;
- b. the relevant contact details of each public and private body (where possible);
- c. the process that needs to be followed to request access to records;
- d. assistance available from the SAHRC and information officers of public bodies;
- e. how to get access to the manual of a private body;
- f. all the remedies available in law to you; and
- g. details on prescribed fees payable for requests for information.

Any information or queries related to the above should be directed to:

The Information Regulator (South Africa)

Postal address

JD House
Stiemens Street, Braamfontein
Johannesburg, 2001

Website: <https://www.justice.gov.za/inforeg/index.html>

General Enquiries: inforeg@justice.gov.za

Complaints: complaints.IR@justice.gov.za

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3. Types of Records

a. Records available in terms of any other legislation All records kept and made available according to legislation applicable to any of the entities listed above and the financial services industry in general, as it applies to the specific environment in which it operates, are available in line with the said legislation.

b. Records available without requesting access in terms of the Act Emkei Holdings as a private body together with its subsidiaries may, on a voluntary basis, submit to the Minister of Justice and Correctional Services (“Minister”) a description of records, which are automatically available without a person having to request access as set out in PAIA. The Minister may publish any description so submitted by notice in the Government Gazette.

No submissions have been made at this stage by the Emkei Holdings group entities for publication in the Government Gazette. Certain records are however freely available on the internet at www.emkeiholdings.com

c. Company records

The following are records pertaining to Emkei Holdings group companies’ own affairs:

- Finance and accounting records
- Human resources
- Strategy
- Shareholders
- Intermediaries
- Operational records
- Technology
- Compliance and risk
- Subsidiary
- Contractors
- Directors

d. Personal Information kept by the Emkei Holdings group companies

Clients / policy holders / investors / beneficiaries

• Includes name, South African identity number or other identifying number (e.g. passport), date of birth, citizenship, telephone number(s), email address(es), income tax numbers, physical and postal addresses, financial information (e.g. fund or portfolio details), banking information (including account numbers).

• For juristic persons: entity name, registration number, income tax number, tax information, contact details for representative persons.

• FICA documentation used to verify identity and details of customers. Advisers / brokers

• Includes licence numbers, physical addresses, contact details, compliance

• officer details. Directors

• ID numbers, name, other FICA documentation used to verify identity and details of directors. Employees

• Includes ID number, contact details, physical and postal address, date of birth, age, marital status, race, disability information, employment history, criminal / background checks, fingerprints, CVs, education history, banking details, income tax reference number, remuneration and benefit information (including medical aid, pension / provident fund information), details related to employee performance, disciplinary procedures. Consultants / Contractors

• Dependent on the nature of the consultant or contractor, but may include any details under “Employees” or “Service Providers” categories.

Service Providers, including outsourced / hosted services, auditors

• Includes company registration details, income tax and VAT registration details, BEE certificates, payment details including bank accounts, invoices, contractual agreements, addresses, contact details.

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e. Recipients of personal information

Customer information is/may be provided to:

- Brokers / advisers / intermediaries
 - Group companies, including Emkei Holdings (Pty) Ltd and divisions
 - Third party service providers to uphold contractual obligations or service clients
- Employee information is/may be received from or provided to:
- Pension / provident funds and/or their trustees
 - Medical aid funds
 - Recruitment companies
 - Credit bureau

f. Planned trans-border information flows:

Emkei Holdings has operations in, or transfers personal information to, entities in the following countries:

- South Africa

As a result, personal information of clients, employees or any other data subjects may be transferred into the Republic of South Africa for processing, following which it is transferred back to the country where the business operates. All operations are required to abide by Emkei Holdings' policies, procedures and guidelines, including legislative requirements for data protection in these countries.

g. Information security

Emkei Holdings strives to uphold good information security practices and has policies, procedures and technological controls to ensure that the following areas of information security are addressed:

- Physical and environmental security controls
 - Network security controls
 - Logical access controls to systems and data including password controls
 - Protection from viruses and other malware
 - Patch management and security updates
 - Acceptable usage of information assets, including mobile devices
 - Business continuity management and IT disaster recovery procedures
 - Induction training to all new staff members
- In addition to the implementation of these measures, Emkei Holdings regularly employs the expertise of independent third parties to review and identify gaps within our environment, so that we can strengthen internal controls.

4. Requesting procedures

a. A person who wants access to the records of any of the identified entities must complete the necessary request form. The request form can be accessed on <https://www.justice.gov.za/inforeg/docs.html>. If a person needs assistance with obtaining the form or on any other matter, they should contact the Information Officer at the telephone number or e-mail address provided in paragraph 1.

b. The completed request form must be sent to the e-mail address provided in paragraph 1 and marked for the attention of the Information Officer which request shall include the following:

The records requested;

The identity of the requester;

Which form of access to the records is required, should the request be granted;

The postal address or facsimile number of the requester.

c. The requester of the information must explain what other right is being protected or exercised.

d. The requester must indicate if the requester, in addition to being informed in writing whether access to the record has been granted, wishes to be informed of the decision of the request in any other manner.

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e. If the request is made for another person, then the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer.

f. Should an individual be unable to complete the prescribed form because of illiteracy, disability or any other reason, such individual may submit such request orally to the Information Officer.

g. The requester must pay the prescribed fee (if applicable) before any further processing can take place. The Information Officer will process the request and inform the requester of the fees (if any and if so, will be available on the Information Regulator's website/access to information/PAIA) that are payable and of the different procedures that must be followed until the request is finalised. All the pertinent sections must be completed fully, failing which the process will be delayed while the Information Officer obtains such additional information.

5. The outcome of a request (Granting or Refusal)

Should the request be granted, the notice will state the access fee (if any) to be paid upon access, the form in which access will be given and further that the requester may lodge an application with a court of law against the access fee to be paid or the form of access granted, and the procedure for lodging such application. Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of PAIA relied upon; and that the requester may lodge an application with a court of law against the refusal of the request, and the procedure (including the time period) for lodging the application.

6. Grounds for refusal of access to records

All sections referred to in this clause 6 are those of PAIA. Some of the grounds on which Emkei Holdings and/or its subsidiaries may rely in refusing a request for information as contemplated by PAIA include:

a. Protection of the privacy of a third party, if that third party is a natural person, which would involve the unreasonable disclosure of personal information of that natural person (Section 63(1));

b. Protection of commercial information of a third party as defined in PAIA, if the record contains:

- trade secrets of that third party;
- financial, commercial, scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party;
- information disclosed in confidence to Emkei Holdings and/or subsidiary entity by a third party, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or would prejudice that third party in commercial competition (Section 64).

c. Protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of an agreement (Section 65);

d. Protection of safety of individuals and protection of property (Section 66);

e. Protection of records which would be regarded as privileged in any legal proceedings, unless the person so entitled to privilege waives the privilege (Section 67);

f. Protection of commercial activities of Emkei Holdings and/or subsidiary entities, which includes:

- trade secrets of Emkei Holdings and/or subsidiary entities;
- financial, commercial, scientific or technical information, disclosure of which could cause harm to the financial or commercial interests of Emkei Holdings and/or subsidiary entities;
- information which, if disclosed, could put Emkei Holdings and/or subsidiary entities at a disadvantage in negotiations or commercial competition;
- a computer programme owned by Emkei Holdings and/or subsidiary entities, and which is protected by copyright (Section 68);

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g. The research information of Emkei Holdings and/or subsidiary entities or a third party for Emkei Holdings and/ or subsidiary entities if the disclosure would expose the third party, Emkei Holdings and/or subsidiary entities, the researcher or the subject matter of the research to serious disadvantage (Section 69).

7. Remedies available in refusal of a request for information (Part 4 of the Act):

- a. Emkei Holdings does not have internal appeal procedures and as such, the decision made by the Information Officer is final.
- b. Should the requester be dissatisfied with the Information Officer's decision to refuse access, that person may within 30 days after notification of the refusal apply to a court of law for the appropriate relief.
- c. Should a third party be dissatisfied with the Information Officer's decision to grant a request for information relating to that third party, the third party may within 30 days of notification of such decision, apply to a court of law for the appropriate relief.

8. Availability of the manual

The manual is available for inspection free of charge at the Emkei Holdings offices and on the Emkei Holdings website (www.emkeiholdings.com).

Legal Notices

Information and Content

The information and content (collectively 'information') provided herein are provided by Emkei Holdings (Pty) Ltd ("Emkei Holdings") as general information for information purposes only. Emkei Holdings does not guarantee the suitability or potential value of any information or particular investment source. Any information herein is not intended nor does it constitute financial, tax, legal, investment, or other advice. Before making any decision or taking any action regarding your finances, you should consult a qualified Financial Adviser. Nothing contained herein constitutes a solicitation, recommendation, endorsement or offer by Emkei Holdings.

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Emkei Holdings

(Reg. No. xxx/xxxxx/xx).

Document relevant as of 25 October 2021

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