

POPI Policy

PROTECTION OF PERSONAL
INFORMATION (POPI) POLICY

KIRCHMANN INCORPORATED

DATE: 12/03/2025



Kirchmanns Inc

ATTORNEYS & LABOUR LAW SPECIALISTS

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1. Introduction

Kirchmanns Incorporated (Kirchmanns) is committed to protecting the privacy and security of personal information of our employees, clients, suppliers, and other stakeholders. This policy outlines our approach to compliance with the Protection of Personal Information Act 4 of 2013 (POPIA) and other relevant legislation.

The right to privacy is an integral human right recognized and protected in the South African Constitution. POPIA aims to give effect to this constitutional right by safeguarding personal information when processed by a responsible party. Kirchmanns acknowledges its obligation to comply with the provisions of POPIA and to ensure that personal information is processed lawfully and transparently.

2. Definitions

For the purposes of this policy, the following definitions apply:

- "Personal Information" means information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person.
- "Data Subject" means the person to whom personal information relates.
- "Responsible Party" means Kirchmanns, as the entity which determines the purpose of and means for processing personal information.
- "Operator" means a person who processes personal information for Kirchmanns in terms of a contract or mandate, without coming under the direct authority of Kirchmanns.
- "Processing" means any operation or activity concerning personal information, including collection, receipt, recording, organization, collation, storage, updating or modification, retrieval, alteration, consultation or use; dissemination by means of transmission, distribution or making available in any other form; or merging, linking, as well as restriction, degradation, erasure or destruction of information.
- "Record" means any recorded information regardless of form or medium.
- "Information Officer" means the person responsible for ensuring Kirchmanns' compliance with POPIA.

3. Policy Purpose

The purpose of this policy, which is to be read along with the PAIA Manual as it sheds additional light on these matters, is to:

- a) Comply with the provisions of POPIA and establish the requirements for the lawful processing of personal information.
- b) Protect Kirchmanns from the compliance risks associated with the protection of personal information.
- c) Outline the principles which are binding on Kirchmanns and all its employees and contractors with regard to the processing of personal information.
- d) Create awareness about the importance of privacy and data protection among Kirchmanns stakeholders.

e) Provide guidelines for the collection, use, storage and disclosure of personal information.

4. Scope and Application

This policy applies to:

- a) The board of directors, management, and all employees of Kirchmanns.
- b) All clients, contractors, suppliers, and other persons acting on behalf of Kirchmanns.
- c) All Kirchmanns' operations, business units, and divisions.
- d) All personal information processed by Kirchmanns, in both electronic and physical format.

The policy must be read in conjunction with other relevant Kirchmanns policies and procedures, including the Privacy Policy.

5. Rights of Data Subjects

Kirchmanns recognizes and respects the rights of data subjects. These rights include:

- a) The right to be notified that personal information is being collected or has been accessed by unauthorized persons.
- b) The right to establish whether Kirchmanns holds personal information and to request access to such information.
- c) The right to request correction, destruction, or deletion of personal information.
- d) The right to object to the processing of personal information.
- e) The right not to have personal information processed for the purposes of direct marketing by means of unsolicited electronic communications.
- f) The right to submit a complaint to the Information Regulator regarding alleged interference with protection of personal information.
- g) The right to institute civil proceedings regarding alleged interference with the protection of personal information.

Kirchmanns will ensure that these rights are respected and upheld in all its operations.

6. General Guiding Principles

Kirchmanns is committed to processing personal information lawfully and implementing appropriate safeguards. The following principles guide our approach:

6.1 Accountability

Kirchmanns takes responsibility for complying with POPIA and implementing measures to demonstrate compliance.

6.2 Processing Limitation

Personal information is processed lawfully, reasonably, and in a manner that does not infringe on the privacy of the data subject.

6.3 Purpose Specification

Personal information is collected for specific, explicitly defined, and lawful purposes.

6.4 Further Processing Limitation

Further processing of personal information must be compatible with the purpose for which it was initially collected.

6.5 Information Quality

Reasonable steps are taken to ensure personal information is complete, accurate, not misleading, and updated where necessary.

6.6 Openness

Data subjects are informed about the collection and processing of their personal information.

6.7 Security Safeguards

The integrity and confidentiality of personal information is secured through appropriate technical and organizational measures.

6.8 Data Subject Participation

Data subjects have the right to access and correct their personal information.

7. Information Officer

Kirchmanns has appointed an Information Officer who is responsible for:

- a) Encouraging and ensuring compliance with POPIA.
- b) Developing, publishing, and maintaining this POPI Policy.
- c) Handling data subject access requests.
- d) Working with the Information Regulator in relation to investigations.
- e) Ensuring that appropriate processes and controls are implemented for the protection of personal information.
- f) Overseeing the processing of personal information by Kirchmanns.

The contact details of the Information Officer are:

Grant Wilkinson, Director, gwilkinson@kirchmannsinc.co.za, 0825708595

8. Specific Duties and Responsibilities

8.1 Executive Directors

The Executive Directors are ultimately accountable for ensuring that Kirchmanns meets its legal obligations in terms of POPIA. They are responsible for:

- a) Approving and overseeing this POPI Policy.
- b) Ensuring adequate resources are allocated for POPIA compliance.
- c) Reviewing POPIA compliance at least annually.

8.2 Management

Management is responsible for:

- a) Ensuring that this POPI Policy is implemented within their areas of responsibility.
- b) Supporting the Information Officer in performing their duties.
- c) Ensuring staff are trained on POPIA requirements.

8.3 Employees

All employees are responsible for:

- a) Familiarizing themselves with this POPI Policy and complying with its provisions.
- b) Reporting any suspected or actual breaches of personal information to the Information Officer.
- c) Only accessing and processing personal information where necessary for their job functions.

8.4 IT Department and Contractors

The IT Department and their Contractors are responsible for:

- a) Implementing appropriate technical measures to protect personal information.
- b) Assisting the Information Officer with data subject access requests.
- c) Ensuring systems comply with POPIA requirements.

9. Processing of Personal Information

9.1 Purpose of Processing

Kirchmanns will only process personal information for specific, explicitly defined, and legitimate reasons. These may include:

- a) Providing products or services to clients
- b) Employee administration

- c) Complying with legal obligations
- d) Conducting market or customer satisfaction research
- e) Maintaining accounts and records
- f) Supporting sales and marketing activities

9.2 Categories of Data Subjects

Kirchmanns may process personal information relating to the following categories of data subjects:

- a) Clients
- b) Employees
- c) Contractors and suppliers
- d) Directors and shareholders
- e) Job applicants

9.3 Types of Information

The types of information processed may include:

- a) Contact details
- b) Demographic information
- c) Employment history
- d) Financial information
- e) Educational information
- f) Medical information (where relevant)
- g) other information as may be legitimately required in the course and scope of running the business

9.4 Recipients of Personal Information

Kirchmanns may share personal information with:

- a) Service providers and operators
- b) Professional advisers
- c) Regulatory authorities
- d) Other parties where required by law.

Kirchmanns may also provide data subject information to Kirchmanns business partners, including Global Business Solutions, Circle and Square, Joint Prosperity and/ or Operators (as contracted) in

order for Kirchmanns' partners to use the information to run a sustainable business and to market their services to data subjects who are current clients and/ or who have consented as envisaged in the POPI Act. When transferring personal information, we ensure appropriate safeguards are in place to protect the information.

10. Information Security Measures

Kirchmanns implements appropriate technical and organizational measures to secure the integrity and confidentiality of personal information, including:

- a) Access control to personal information
- b) Physical security of premises and data storage devices
- c) Network and communications security
- d) Monitoring access and usage of private information
- e) Investigating and reacting to security incidents
- f) Usage of encryption where appropriate
- g) Implementing and maintaining appropriate security policies and procedures

11. Data Subject Access Requests

Data subjects have the right to request access to their personal information held by Kirchmanns. Such requests should be made to the Information Officer using the prescribed form. Kirchmanns will respond to these requests within a reasonable time, subject to the provisions and requirements of POPIA.

12. POPI Complaints Procedure

Data subjects may lodge a complaint regarding the processing of their personal information with the Information Officer. The Information Officer will investigate the complaint and provide a response within a reasonable time.

If the data subject is not satisfied with the response, they may lodge a complaint with the Information Regulator.

13. Disciplinary Action

Non-compliance with this policy may result in disciplinary action, including possible termination of employment or business relationship. Certain breaches may also result in civil or criminal liability.

14. Amendments to this Policy

This policy will be reviewed periodically and may be amended as necessary to ensure compliance with POPIA and other relevant legislation. Any changes to the policy will be communicated to all relevant stakeholders.

Last updated: 12 March 2025

Approved by: G Wilkinson, Director