



PROTECTION OF PERSONAL INFORMATION POLICY

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Preamble

RedSun Dried Fruits and Nuts (Pty) Ltd Protection of Personal Information Policy (also referred to as the “Privacy Policy”) is formulated in terms of and in accordance with the Protection of Personal Information Act 2 of 2014 (POPIA) and Financial Intelligence Centre Act 38 of 2001 (FICA). This policy outlines RedSun Dried Fruits and Nuts (Pty) Ltd and its subsidiaries protocols for Possession of Personal Information, promotes the awareness of the rights of individuals and juristic persons whose Personal Information is processed in the course of its business activities, and encourages adherence to the compliance obligations placed on RedSun Dried Fruits and Nuts (Pty) Ltd as an accountable institution.

A. Definitions

1. **“Accountable Institution”** means a person referred to in Schedule 1 of the FICA, and as defined in terms of Section 1 of FICA.
2. **“Business name”** means RedSun Dried Fruits and Nuts (Pty) Ltd a private company duly incorporated in accordance with the company’s laws of the Republic of South Africa, with registration number 2008/027388/07 and with registered office located at N14 outside Keimoes.
3. **“Data Subjects”** means the Person whose Personal Information is Processed.
4. **“Information Officers”** means those RedSun Dried Fruits and Nuts (Pty) Ltd officials (as listed in Table 1 – Information Officers) appointed and registered as Information Officers with the regulator, and who are responsible for encouraging compliance by RedSun Dried Fruits and Nuts (Pty) Ltd with the lawful processing of Personal Information.
5. **“Law”** means any law of general application and includes common law and statute, constitution, decree, treaty, regulation, directive, ordinance, by-law, order or any other enactment of legislative measure of government (including local and provincial government) statutory or regulatory body which has the force of law.
6. **“Personal Information”** means information relating to an identifiable Person as defined in section 1 of POPIA.
7. **“Process, Processing or Processed”** means, without limitation, the collection, use, storage, variation, merging, linking, dissemination and destruction of Personal Information, and further processing shall bear a similar meaning, but will only occur after the initial processing of Personal Information.
8. **“Person”** means a natural or juristic person.
9. **“Special Personal Information”** means Personal Information as referred to in Section 26 of POPIA.
10. When referring to a **“Duly Authorised Representative”**, **“Agent”** or **“Proxy”** in this policy, such authorisation shall be in writing and, where applicable, comply with the requirements of the FICA or the Consumer Protection Act 68 of 2008 and accompanying regulations or any other applicable law.

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1. INTRODUCTION

In this document, references to "we", "us", or "the Group" are to **RedSun Dried Fruits and Nuts (Pty) Ltd** and its subsidiary companies.

RedSun Dried Fruits and Nuts (Pty) Ltd recognises its accountability in terms of the Protection of Personal Information Act (hereinafter referred to as **POPIA**), other privacy protection legislation, together with its regulations to all its clients, suppliers, service providers and other third parties. **RedSun Dried Fruits and Nuts (Pty) Ltd** to collect personal information from its clients, suppliers, service providers and other third parties to carry out its business.

This Privacy Policy applies to any Person who deals, transacts with or is within the employment of **RedSun Dried Fruits and Nuts (Pty) Ltd**. To give further effect thereto, this Privacy Policy is incorporated by reference in any agreement, dealing or transaction between the Data Subject and **RedSun Dried Fruits and Nuts (Pty) Ltd** in respect whereof Personal Information is provided to or collected or otherwise processed by **RedSun Dried Fruits and Nuts (Pty) Ltd**.

It is important for the Data Subject to familiarise himself-/ her-/itself with the contents hereof to be adequately informed about why and how their Personal Information is processed and their rights and entitlements under POPIA.

To maintain a trust relationship with our Stakeholders, we are committed to complying with both the spirit and the letter of POPIA and other privacy protection legislation and to always acting with due skill, care, and diligence when dealing with personal information.

RedSun Dried Fruits and Nuts (Pty) Ltd has duly appointed Information Officers as prescribed by POPIA. The contact details of the Information Officers are set out in **Table 1 - Information Officers**.

2. WHAT IS PERSONAL INFORMATION?

Personal Information, according to POPIA, means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- a. Information relating to race, gender, sex, pregnancy, marital status, nationality, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, and birth of the person.
- b. Information relating to the education or the medical, financial, criminal, or employment history of the person.
- c. Any identifying number, symbol, e-mail address, telephone number, location information, online identifier, or other assignment to the person.
- d. The biometric information of the person.
- e. The personal opinions, views, or preferences of the person.
- f. Correspondence sent by the person that would reveal the contents of the original correspondence.
- g. The views or opinions of another individual about the person; and
- h. The name of the person if it appears with other personal information relating to the person, or if the disclosure of the name itself would reveal information about the person.

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3. CLASSIFICATION OF PERSONAL INFORMATION PROCESSED

Information identifying individuals or juristic entities, including but not limited to: names and surnames, identification or registration numbers, taxation numbers, VAT numbers, passport number, sex, age, marital status, employment information, residential information or business address, nationality, citizenship, home language, preferred communication language or such other Personal Information as may be required to enter into a business relationship with the Data Subject.

Financial information, including, but not limited to, the Data Subject's financial institution, bank account number, branch code, salary/income, credit score or such other financial information necessary to give effect to a transaction.

Contact information, including, but not limited to physical addresses, electronic mail addresses, fax numbers, telephone numbers, cell phone numbers, postal addresses or such other contact information necessary to maintain the business relationship between RedSun Dried Fruits and Nuts (Pty) Ltd and the Data Subject.

RedSun Dried Fruits and Nuts (Pty) Ltd will not process any Special Personal Information as defined by POPIA without the consent of the Data Subject unless required by Law or otherwise justified in terms of POPIA.

4. PURPOSE OF PROCESSING PERSONAL INFORMATION

RedSun Dried Fruits and Nuts (Pty) Ltd processes Personal Information for the following purposes, depending on the nature of the dealings with the Data Subject.

- a. applications for credit facilities/advances.
- b. applications for employment.
- c. applications from goods and service providers.
- d. assessing B-BBEE status.
- e. conclusion of contracts.
- f. creation and maintenance of customer databases.
- g. direct and indirect marketing.
- h. human resource purposes.
- i. legal compliance with statutory laws and regulations.
- j. maintenance of companies' security registers.
- k. sponsorships.
- l. retail, and
- m. for any matter necessary or incidental to the effective performance of RedSun Dried Fruits and Nuts (Pty) Ltd to give effect to the above matters.

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5. WHEN WILL WE PROCESS YOUR PERSONAL INFORMATION?

We will only process your personal information for lawful purposes relating to our business if the following circumstances apply:

- a. You have **consented** thereto.
- b. a person legally authorised by you, or a court, has **consented** thereto.
- c. It is necessary to conclude or perform under a **contract** we have with you.
- d. The **law** requires or permits it.
- e. It is required to protect or pursue your, our, or a third party's legitimate interest; and/or
- f. You are a child, and a competent person (such as a parent or guardian) has consented thereto on your behalf.

6. WHEN WILL WE PROCESS YOUR SPECIAL PERSONAL INFORMATION?

Special personal information refers to the following categories of information:

- a. Religious and philosophical beliefs.
- b. Race.
- c. Ethnic origin.
- d. Trade union membership.
- e. Political beliefs.
- f. Health, including physical or mental health, disability, and medical history.
- g. Biometric information.
- h. Criminal behaviour, where it relates to the alleged commission of any offence or the proceedings relating to that offence.

We will process special personal information in the following instances:

- a. You have **consented** to the processing (in circumstances where we are legally obliged to obtain your consent); or
- b. It is necessary to exercise or defend a right or obligation in **law**; or
- c. It is necessary to comply with an international legal obligation of public interest; or
- d. It is for certain historical, research, or statistical purposes that would not adversely affect your privacy; or
- e. You have deliberately made your personal information public.

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7. WHO RECEIVES PERSONAL INFORMATION?

RedSun Dried Fruits and Nuts (Pty) Ltd shares or otherwise processes Personal Information of Data Subjects with various third parties in conducting its business operations. RedSun Dried Fruits and Nuts (Pty) Ltd shares or otherwise processes Personal Information with:

- a. service providers.
- b. suppliers.
- c. employees within the scope and course of their employment.
- d. regulatory authorities or administrative bodies established by Law.
- e. industry bodies or associations where necessary.
- f. its auditors.
- g. parties to multilateral contracts of which the Data Subject is a party, and

In the event of data sharing or Processing in terms of the above, this will typically occur where the Data Subject has dealings with more than one entity within RedSun Dried Fruits and Nuts (Pty) Ltd.

To facilitate these transactions, it is typical that Personal Information will be shared within RedSun Dried Fruits and Nuts (Pty) Ltd.

8. HOW WE SHARE YOUR INFORMATION

RedSun Dried Fruits and Nuts (Pty) Ltd will not share the Personal Information of a Data Subject unless this has been consented to by the Data Subject, or where the sharing of Personal Information is required by Law.

RedSun Dried Fruits and Nuts (Pty) Ltd shall take reasonable measures to ensure the confidentiality of Personal Information shared with third parties and to ensure that third parties are lawfully processing Personal Information as prescribed by POPIA.

Notwithstanding the above and whilst RedSun Dried Fruits and Nuts (Pty) Ltd endeavours to take reasonable steps as contemplated above, it cannot warrant lawful Processing of Personal Information by third parties with whom the Data Subject's Personal Information has been shared.

The Data Subject's Personal Information shall be processed within RedSun Dried Fruits and Nuts (Pty) Ltd by trained employees within the course and scope of their employment.

Third-Party Service Providers

We may utilise third-party service providers to assist us with our services. They will have access to your information as reasonably necessary to perform these tasks on our behalf and are obligated not to disclose or use it for other purposes. Where required, each member of the group may share a customer's personal information with the following persons, which may include parties that the group engages with as independent responsible parties, joint responsible parties or operators.

- a. Information technology, photocopiers.
- b. Employer organisations.
- c. Government institutions.

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- d. Training providers.
- e. Training authorities.
- f. Financial administrators.
- g. Software/App developers, and
- h. Verification agencies.

Legal Disclosures

We may need to share your information when we believe it is required by law, or legal process, or to help protect the rights and safety of you, us, or others. We attempt to notify members about legal demands for their data when appropriate in our judgment, unless prohibited by law or court order or when the request is an emergency. We may dispute such demands when we believe, at our discretion, that the requests are overbroad, vague, or lack proper authority, but we do not promise to challenge every demand.

9. YOUR RIGHTS AND OBLIGATIONS

Data Retention

We keep most of your personal information while we still have a purpose, and we need to provide you with services where we are legally obligated to do so.

We will also keep your information where you have agreed for us to do so or have given your consent that we are allowed to do so.

We keep some of your information even after our business relationship has terminated if it is reasonably necessary to comply with our legal obligations, meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, enforce our other user agreements, or fulfil your request to object to our processing of your information.

You have rights in connection with your personal information. You have many choices about how your information is collected, used, and shared.

In certain circumstances, by law, you have the right to:

- a. **Request access to your information:** You will be able to ask us what information we have about you, as well as ask for a copy of this information. This should be done on request to **the Deputy Information Officer at conrad@redsun.co.za** There are some exemptions, which means you may not always receive all the information we process. When we can give you a copy, it might be done at a certain fee, which will also be communicated to you at the time of your query.
- b. **Change or correct information:** You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- c. **Delete information:** You can ask us to delete or remove personal information under certain circumstances.
- d. **Object to processing:** You can do this where we are relying on your legitimate interest, public interest, or our legitimate interest (or those of a third party), and there is something about your situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your data for direct marketing purposes or where you have given your consent for the specific processing, and you want to retract your consent. Retracting your consent does not invalidate the information we lawfully processed while we had your consent to do so.

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- e. **Request the restriction of processing:** You can ask us to suspend the processing of personal data about you, for example, if you want us to establish its accuracy or the reason for processing it.

10. CHANGES TO OUR PRIVACY NOTICE

Changes to the privacy notice apply to your use of our services. We may modify this privacy notice from time to time, as required by changes in legislation. When material changes are made, we will provide notice through our services or by other means to provide you the opportunity to review the changes before they become effective.

You acknowledge that your continued use of our services after we publish our changes to this privacy notice means that the collection, use, and sharing of your personal information is subject to the updated privacy notice.

11. OTHER IMPORTANT INFORMATION

Security

We have put in place appropriate security measures to prevent your data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed.

We utilise IT specialists to design and implement a security framework on all our devices and servers to keep all electronic records of your personal information safe.

Our IT specialists are seen as our operators of the POPI Act (see definition clause) as they maintain and upgrade our IT systems and security. They only perform functions as mandated by us and are prohibited from processing your personal information, unless it is in line with the mandate that you, in turn, gave to us.

These functions are:

- Implementing necessary cybersecurity systems to detect, investigate and effectively respond to threats to personal information or its systems.
- Optimising cloud services and the way in which personal information is stored and processed to be in line with the POPI Act.
- Regular wiping of 'free space' on storage devices to make sure deleted personal information is irrecoverable.
- Implementing access control methods and mechanisms to ensure that only authorised users have access to your personal information.
- Upgrade our system and devices regularly.
- We further maintain, update, and implement a strict password policy where personal information is accessible.
- Physical records of personal information.
- All active physical copies of personal information records are kept behind locked doors, and
- All archived physical copies of personal information records are kept behind locked doors.

Transborder information transfers

We do not share any of our clients, suppliers, service providers or other third parties' information across borders.

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12. COMPLAINTS AND DISPUTE RESOLUTION

RedSun Dried Fruits and Nuts (Pty) Ltd takes the interests of its clients and employees seriously and respects their data privacy. Should the Data Subject have any concerns, issues or complaints in respect of the Processing of Personal Information, the relevant Information Officer or the Information Regulator can be contacted.

The contact details of the Information Officers are set out in **Table 1** below.

Table 1 - Information Officers

Business Unit	Information Officer	Contact Information
RedSun Dried Fruits & Nuts	Riaan Conrad Conradie	Tel: 079 669 1939 Email: conrad@redsun.co.za

The contact details of the Information Regulator are set out in **Table 2** below.

Table 2 - Contact Details of Information Regulator

Physical Address:	Postal Address:
JD House 27 Stiemens Street Braamfontein Johannesburg 2001 Telephone number: 010 023 5200	P. O Box 31533 Braamfontein Johannesburg 2017

Complaints email: PAIAcomplaints@inforegulator.org.za

General inquiries email: enquiries@inforegulator.org.za

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