

GRINDROD BANK

CLIENT AND SERVICE PROVIDER PRIVACY NOTICE IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (POPIA)



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GRINDROD BANK

CLIENT AND SERVICE PROVIDER PRIVACY NOTICE IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (POPIA)

Mandate

Our privacy commitment to you:

- We will protect your personal information
- We will explain how we use your Personal Information
- We will advise you on the choices you have regarding the use of your personal information
- We will collect, use and process your personal information respectfully and lawfully
- We will store your personal information securely

This Privacy Notice sets out:

- Who we are
- What processing means
- What personal information we collect
- How we use your personal information
- To whom we disclose your personal information
- Transfer of personal information across borders
- How we safeguard your personal Information
- Your rights regarding to your personal information
- How long we keep your personal information
- Privacy Notice updates
- How to contact the Bank
- Information Regulator contact details

Revision Record

Revision No.	Date of Change	Author Name & Designation	Description of Change
0.1	February 2020	C. Porter (Chief Compliance Officer) and D. Pillay (Deputy Information Officer)	Compiled
0.2	March 2020	N. Naidoo (Information Officer)	Reviewed & Updated
0.3	May 2020	D. Pillay (Deputy Information Officer) and N. Naidoo (Information Officer)	Finalised
	June 2020	T. Dala (Legal Advisor)	Reviewed
0.4	June 2020	N. Naidoo (Information Officer)	Updated
	June 2020	POPIA Steering Group	Endorsed
	August 2020	Executive Committee	Endorsed
	August 2020	Audit and Compliance Committee	Endorsed
	August 2020	Risk and Capital Committee	Endorsed
	August 2020	Board	Approved
0.5	April 2021	Sherilyn Munian (Legal)	Reviewed
	May 2021	Information Officer and Deputy Information Officer	Reviewed
	June 2021	Audit and Compliance Committee	Endorsed

1. Overview

This Privacy Notice explains how we collect, use, process, store, and disclose your personal information, in accordance with the Protection of Personal Information Act 4 of 2013 (POPIA).

2. Applicability

This privacy notice is applicable to all clients and service providers of Grindrod Bank Limited.

3. Definition of Terms

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In this privacy notice, clause headings are for convenience and reference only and shall not be used in the interpretation thereof. Any gender includes the other genders, and a natural person includes a juristic person and vice versa. All the annexures (if any) hereto are incorporated herein and shall have the same force and effect as if they were set out in the body of this notice.

The following words and/or expressions shall, unless the context indicates otherwise, bear the meaning assigned to them below and in POPIA.

Term	Description
Biometrics	A technique of personal identification that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning, and voice recognition.
Child	A natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him or herself.
Cookie/s	A small text file or piece of data sent from a website and stored on your internet browser when you use our website. (Also called web cookie, internet cookie, browser cookie, or simply cookie)
Competent person	Any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child.
Conditions	The conditions of lawful processing stipulated in Chapter 4 of POPIA, unless the context indicates a contrary meaning.
Data subject	The person to whom personal information relates. Also defined as client and/or service provider for the purposes of this notice.
Information Officer	The person duly authorized by the CEO of the Bank, from time to time, whose duties and responsibilities are stipulated in Section 55 of POPIA.
Internet Protocol (“IP”)	A standard set of rules for sending and receiving data over the internet.
Information Regulator	The juristic person established in terms of section 39 of POPIA, whose powers, duties and functions are stipulated in section 40 of POPIA.
Operator	Means a person who processes personal information for the Bank in terms of a contract or mandate, without coming under the direct authority of that bank.
Person	A natural person or a juristic person.
Personal information	Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable existing juristic person, including, but not limited to: <ul style="list-style-type: none"> - information relating to the race, gender, sex, pregnancy, marital status, national, 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. - information relating to the education or the medical, financial, criminal or employment history of the person. - any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other assignment to the person. - the biometric information of the person. - the personal opinions, views, or preferences of the person. - correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence. - the views or opinions of another individual about the person; and - 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.
Processing	Any operation or activity or any set of operations, whether or not by automatic means, concerning personal information including: <ul style="list-style-type: none"> - the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use. - dissemination by means of transmission, distribution or making available in any

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Term	Description
	- other form; or merging, linking, as well as restriction, degradation, erasure or destruction of information.
Privacy Notice or Notice	This privacy notice as amended from time to time.
“PAIA”	The Promotion of Access to Information Act No. 2 of 2000
“POPIA”	The Protection of Personal Information Act No. 4 of 2013
Special personal information	Information concerning a child and personal information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political opinions, health, DNA, sexual life, or criminal behaviour of a data subject
The “Bank”	Grindrod Bank Limited, also referred to as “us” or “we” in this privacy notice.
You/ Your	The data subject and/or belonging to the data subject.

4. About Grindrod Bank

Grindrod Bank Limited ('the Bank') is a registered bank operating within the Republic of South Africa. As part of our business processes and creating value for our stakeholders, we are required, to process personal information. Accordingly, we are required to protect the personal information as set out in the Protection of Personal Information Act 4 of 2013 (POPIA) including its Regulations. This privacy notice explains how we collect, use, process, store and disclose your personal information in accordance with the requirements of POPIA.

5. Personal Information

5.1 Personal information means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable existing juristic person. Personal information will be obtained from you as a client or service provider of the Bank. By providing us with your personal information you will be deemed as having given us your consent where necessary and appropriate as indicated in this privacy notice.

5.2 By using our web site, you acknowledge that you have reviewed the terms of this privacy notice and agree that we may collect, use, process, store, disclose and transfer your personal information in accordance herewith. We shall ensure that your personal information is processed within the parameters of the law. This privacy notice must be read in conjunction with POPIA and its Regulations, where applicable

6. Purpose for Collecting your Personal Information

The request for your personal information is necessary for us to carry out the actions for the conclusion or performance of a contract to which you are a party either as a client or service provider of the Bank; for our compliance with legal and regulatory requirements or industry codes; to protect your legitimate interest as a client or service provider of the Bank or to pursue the legitimate interests of the Bank in providing products/ services to you.

7. Process for Collection Personal Information

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- 7.1 **Directly from you:** Personal information will be collected directly from you when you become a client or a service provider of the Bank or by using our products and/or services. This includes enquiries made by you or contacting us directly. It also includes personal information collected when you complete an application form; electronically contact us or use one of the services/facilities offered by us or any affiliate party. If you provide us with information about third parties (including relatives, beneficiaries, and guardians), you agree to inform such third parties and obtain their consent for us to collect and process their personal Information in accordance with this privacy notice.
- 7.2 **Other sources:** Personal information is also collected from other sources. With your consent, we may also obtain information that you provide to us with information we receive from other companies to offer you an efficient and consistent experience when you deal us.
- 7.3 **From our website:** We collect website usage information using 'cookies' which permits us to collect internet visitor usage information. The cookie is sent to our computer each time you visit our website.

8. Information Collected

We will only process your personal information with your consent or in accordance with the law. It is important to note that by using our services, products and service channels you agree that we may process your personal information as explained in this privacy notice. Where possible, we will inform you what information you are required to provide to us and we will not collect information in excess of what is required from you.

The type of information collected will depend on the purpose for which it was collected and used and can be made up, but not limited to the following:

- **Personal identifiable information:** information such as full name, identity number, identity document, date of birth, nationality, gender, sex, marital status, age, language, biometrics, company registration number, company information (names of directors), VAT registration number, etc.
- **Contact information:** physical address, location, email address, contact number, next of kin details.
- **Application information:** information you provide to us on applications, including assets and liabilities, income, debts and/or property insurance coverage.
- **Account information:** information such as your credit card balances, ATM or cheque card number, investment account, bank account, loans or other.
- **Transactional information:** information about transactions and account activity such as account balances, payment history, account usage,
- **Consumer report information:** information from a consumer report, including a credit score and credit history.
- **Employment information:** occupation, employer, place of work, work contact number, work email address, work physical address and employment history.
- **Company/Sole Proprietor information:** information from service providers regarding company/ sole proprietorship information when entering into a service provider contract with us.
- **Other information:** information required to address queries, data from public records, and other verifications by authorised persons and all other information necessary for us to obtain in the provision of our products and services to you.
- **Recording of telephone conversations:** telephone conversations between you and the Bank may be recorded for verification, regulatory or business requirements as and when the Bank requires.

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- **Cookies:** website usage information will be collected using 'cookies' that permit the collection of internet visitor usage information. The information we collect in this regard is limited to IP addresses only.

9. Using your Personal Information

As mentioned previously, we will use your personal information only for the purpose for which it was collected and/or agreed with you. These include the following:

- Facilitate transactions.
- Provide products and services.
- Service, maintain or collect on accounts.
- Allow for product applications and evaluate your eligibility for such product.
- Conduct credit reference searches or verifications.
- Conduct credit scoring and assessment, ongoing credit management.
- Perform risk management, including credit risk analysis.
- Debt recovery purposes.
- Establish and verify your identity (or your agent or representative) and to confirm that you are an authorised user for security purposes.
- Detect, prevent, and investigate fraud, crime, or money-laundering.
- Market or customer satisfaction research or for statistical analysis
- Auditing and record keeping purposes.
- Comply with legal processes, to respond to requests from the public, regulatory authorities and allow us to pursue remedies and limit damages.
- Comply with applicable laws, rules, and regulations, including anti-terrorism, anti-money laundering and tax reporting.
- Provide security for our clients and employees.
- Respond to client requests.
- For direct marketing purposes.
- To enter into a non-disclosure agreement, contract, or potential contract with a Service Provider.
- To carry out instructions for the conclusion of or the performance of a contract with a Service Provider,
- Assessing a service provider's qualifications and/or certifications related to the performance of a particular service.
- To handle litigation matters.

10. Using "Special" Personal Information

Special personal information means the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information or criminal history.

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We may process your special personal information in the following circumstances:

- If you have consented to the processing.
- If the processing is needed to create, use, or protect a right or obligation in law.
- If the processing is for statistical or research purposes, and all legal conditions are met.
- If the personal information was made public by you.
- If the processing is required by law.
- If racial information is processed and the processing is required to identify you

11. "Special" Personal Information of a Child

We will only process the personal information of a child if any of the following applies:

- A competent person with the ability to sign legal agreements has consented to the processing, being the parent or guardian of the child.
- The processing is needed to create, use or protect a right or obligation in law.
- The child's personal information was made public by the child, with the consent of a competent person.

The personal information of a child will be processed in the following circumstances including but not limited to:

- **Wills:** Where the child is an heir in a will, if required to give effect to the will.
- **Trust:** Where the child is a beneficiary of a trust, if required to give effect to the trust deed.
- **Bank accounts:** Where the child is legally old enough to open a bank account without assistance from their parent or guardian or where the child benefits from a bank account such as an investment or savings account.
- **Insurance policies:** Where the child is a beneficiary of an insurance policy, if required to give effect to the insurance policy.
- **Signing documents:** Where the child is legally old enough to sign a document as a witness without assistance from their parent or guardian.

12. Disclosure of Personal Information

Your personal information may be disclosed in the following circumstances:

- Where we have a duty or a right to disclose in terms of law.
- Where we believe it is necessary to protect our rights.
- In the public interest (to assist in the prevention of crime).
- If you agreed that we may disclose your personal information.

13. Disclosure of Personal Information to 3rd Parties

Your personal information may be shared with third parties, service providers, other banks and other companies.

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Your personal information may be disclosed to third parties for the following reasons:

- For ordinary business purposes.
- To carry out your instructions.
- For the delivery of services and/or products to you.
- For the conclusion or performance of our agreement with you.
- For storage or for Processing purposes.
- To comply with regulatory requirements.
- To check conflicts, for quality and risk management.
- For financial accounting purposes.
- To prevent fraudulent activities.
- For the provision of other administrative support services.

14. [Transfer of Personal Information across Borders](#)

There will be times when we will process your personal information in other countries for ordinary business purposes or to carry out your instructions. Third parties may obtain, collect, use, transfer, store or otherwise process personal information in the various jurisdictions in which they operate. These countries may not have the same level of protection.

Where possible, the party to whom we transfer your personal information will be required to:

- Agree to our privacy principles and practices.
- To implement and maintain the appropriate security, privacy and confidentiality obligations.
- To agree to the protection of your personal information in accordance with this privacy notice and contractual agreements.

15. [Protection of Personal Information](#)

15.1 Keeping personal information secure is one of our most important responsibilities and is an obligation in terms of POPIA. We will secure the integrity and confidentiality of personal information in our possession or under our control by taking appropriate physical, technical, electronic, procedural and organisational safeguards as well as security measures to protect your personal information against unlawful and unauthorised use, access, loss, damage, and destruction. Our security controls and associated processes are reviewed on an ongoing basis to ensure that your personal information is secure. All our systems and operations used shall always be of a maximum standard required by law, industry codes, professional rules and regulations for the protection, control and use of personal information.

15.2 It is important to note that the transmission of personal information to the Bank through the internet or a mobile phone network connection may not be completely secure, and any transmission is at the data subject's risk. Despite the security measures that the Bank has in place to protect personal information of a data subject (firewalls, password access and encryption methods), the data subject acknowledges that there is a possibility of this information being accessed unauthorized third parties through illegal activity.

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- 15.3 Appropriate employees are authorised to access personal information for legitimate and specified business purposes. Employees are bound by a code of ethics and other internal policies that require confidential treatment of personal information. Disciplinary action can be taken if employees fail to follow such requirements.
- 15.4 Where we have contracted with third parties, appropriate security, privacy, and confidentiality obligations are imposed to ensure that personal information for which we remain responsible is adequately protected.
16. Operators
- 16.1 Where we appoint an operator (i.e. a person who processes personal information for us in terms of a contract or mandate, without coming under our direct authority), such an operator will be obliged to:
- Process such information only with our knowledge or authorisation; and
 - Treat personal information which comes to the operator's knowledge as confidential and must not disclose it, unless required by law or in the course of the proper performance of their duties.
- 16.2 In addition, we will, in terms of a written contract between us and the operator:
- Ensure that such an operator establishes and maintains the security measures. Such an operator will therefore be required to meet or exceed the Bank's minimum requirements for data security.
 - Oblige the operator to notify us immediately where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person.
17. Rights regarding the Protection of Personal Information
- 17.1 **The right to be notified:** You have the right to be notified that your personal information is being collected and to be notified if your personal information has been accessed or acquired by an unauthorised person.
- 17.2 **The right to request access:** You have the right to request that we confirm whether we hold your personal information. You have the right to request access to or obtain a copy of your personal information in accordance with POPIA and PAIA. Please note that we will take the necessary steps to confirm your identity before providing the requested personal information. Any requests that you may have relating to your personal information should be addressed to the relevant official of the Bank or at the Bank's address stated in any agreement between you and the Bank. Such requests may result in a legally permitted fee being charged.
- 17.3 **The right to request correction:** You have the right to request that your personal information be corrected or deleted if inaccurate, incomplete, or excessive. You can ensure your personal information is accurate by reviewing your information and advising us if it is incorrect. Some changes will only be made once the necessary supporting documentation has been obtained.
- 17.4 **The right to request deletion:** You have the right to request that a record be deleted or destroyed if you believe we are no longer authorised to retain it. You understand that if your request us to delete personal information and we rely on that personal information to provide you with services or products, then we will not be able to provide you with such products and services.

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- 17.5 **The right to object to processing:** In certain circumstances, you have the right to object, for legitimate purposes, to the collection or processing of your personal information. You also have the right to object to the processing of personal information at any time for the purposes of direct marketing or by means of unsolicited electronic communications. Objections can be made through registered post, electronic mail or personal delivery. Once an objection is received, we will no longer process your personal information.
- 17.6 **The right to make queries:** You have the right to query a decision that was made about a product or service that you have applied for and that was made solely by automated means. If you have any questions regarding your choices that are not addressed in this privacy notice, please contact us for more information.
- 17.7 **The right to complain:** You have the right to submit a complaint to the Bank or to the Information Regulator regarding the alleged interference with the protection of your personal information. You have the right to institute civil proceedings regarding the alleged interference with the protection of your personal information.

We will assist you to the best of our ability if you require assistance to complete the relevant forms. Form 1 and Form 2 as outlined at 2(2) and 3(2) of Regulations relating to the Protection of Personal Information.

18. Keeping Personal Information Records

The Bank is obliged to keep your personal information in the following circumstances:

- If we require it for our lawful business purposes.
- If required by the law.
- If it is required in terms of a contract with you.
- If you have consented to us keeping your personal information.

18.1 Deleting or destroying your personal information

Grindrod Bank will destroy or delete a record of your personal information or de-identify it as soon as reasonably practicable after the Bank is no longer authorised to retain the record. The destruction or deletion of a record of personal information will be done in a manner that prevents its reconstruction in an intelligible form. If the law requires us to keep the personal information, it will not be deleted upon your request. The deletion of certain personal information may lead to the termination of your business relationship with us.

18.2 Restriction on the processing of your personal information

The Bank will restrict the processing of your personal information if:

- Its accuracy is contested by you.
- The Bank no longer requires your personal information for achieving the purpose for which the information was collected or subsequently processed, but it must be maintained for purposes of proof.

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- The processing is unlawful and you oppose the destruction or deletion of the personal information.
- You have requested to transmit the personal information into another automated processing system.

Review

This document will be reviewed on an annual basis to ensure that it remains relevant. Changes to this notice may be made from time to time. All changes will be published on the Bank's website, please check this periodically.

Contact Details

Please use the following methods to contact Grindrod Bank if you have any queries regarding this notice or believe that it has not been adhered to.

Grindrod Bank

Physical Address:: 5 Arundel Close, Kingsmead Officer Park, Durban, 4001

Postal Address: PO Box 3111, Durban, 4000

Tel: 031 333 6600

Email : info.officer@grindrodbank.co.za

Website: www.grindrodbank.co.za

To object to the processing of your personal Information, to request access, correction, deletion, or destruction of your personal information, please send an email to: info.officer@grindrodbank.co.za

You have the right to complain to the Information Regulator. The contact details for the Information Regulator are as follows:

Information Regulator

Physical Address: 33 Hoofd Street Forum III, 3rd Floor Braampark

Postal Address P.O Box 31533 Braamfontein, Johannesburg, 2017

Tel: 012 406 4818

Fax: 086 5003351

Email: inforeg@justice.gov.za

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