

DATA PRIVACY POLICY

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1. RATIONALE

1.1 Sonae Arauco South Africa may be liable for the unauthorised use of personal information of employees, board members, children, service providers. In terms of section 14 of the Constitution of South Africa, 1996 (as amended) everyone has the right to privacy. This right extends to the board members, care givers, children, service providers, donors and other stakeholders to continue enjoying the protection of their privacy even when they engage with Sonae Arauco South Africa or participate in commercial activities.

1.2 Privacy right is summarized as follows: an individual has the right to decide when, how and under which circumstances personal information of that individual may be disclosed.

1.3 Sonae Arauco South Africa adopts a zero-tolerance approach to any breach of the Data Privacy Policy and any breach of the policy will be a dismissible offence.

2. DEFINITIONS

ECT Act	The Electronic Communications and Transactions Act, No. 25 of 2002.
IT	Information Technology.
Person	A natural person or juristic person.
Personal information	As defined in the Protection of Personal Information Act, No. 4 of 2013, personal information means information about an identifiable, living, natural person and where it is applicable, an identifiable, existing juristic person, including but not limited to: (a) 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 individual;

	<ul style="list-style-type: none"> (b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved; (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assigned to the individual; (d) the biometric address (e.g. fingerprints or blood type) of the individual; (e) the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual; (f) correspondence sent by the individual that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; (g) the views or opinions of another individual about the individual; (h) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and (i) the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual, but excludes information about an individual who has been dead for more than 20 years.
Data subject(s)	Individual employees, board members, children, care givers, donors, service providers and other stakeholders of whom Sonae Arauco South Africa processes their personal information.
Lawful	Any operation or activity or any set of operations, whether or not

processing	<p>by automatic means, concerning personal information, including:</p> <ul style="list-style-type: none"> (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; (b) dissemination by means of transmission, distribution or making available in any other form; or (c) merging, linking as well as restriction, degradation, erasure or destruction of information.
Record	<p>Any recorded information:</p> <ul style="list-style-type: none"> (a) regardless of form or medium, including any of the following: <ul style="list-style-type: none"> i) writing on any material; ii) information produced, recorded or stored by means of any tape- recorder, electronic equipment, whether hardware or software or both, or other device and any material subsequently derived from information so produced, recorded or stored; iii) label, marking or other writing that identifies or describes anything of which it forms part or to which it is attached by any means; iv) book, map, plan, graph or drawing; v) photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment of being reproduced; (b) in the possession or under the control of the organisation; (c) whether or not it was created by the organisation; (d) regardless of when it came into existence.
User(s)	<p>All Sonae Arauco South Africa's employees, service providers, , board members other stakeholders at Sonae Arauco South Africa who have access to Sonae Arauco South Africa's infrastructure, as well as all employees affiliated with third parties.</p>

3. SCOPE

This policy applies to all users as well as third parties who have access to Sonae Arauco South Africa's infrastructure.

4. PURPOSE

The purpose of this policy is to:

- 4.1 Protect the privacy of data subjects;
- 4.2 Provide guidelines for the processing of personal information by Sonae Arauco South Africa;
- 4.3 Limit Sonae Arauco South Africa's possible liability for privacy infringement;
- 4.4 Educate users on privacy and related rights;
- 4.5 Ensure security measures on integrity and confidentiality of personal information; and
- 4.6 Ensure lawful processing of personal information.

5. LAWFUL PROCESSING OF PERSONAL INFORMATION BY SONAE ARAUCO SOUTH AFRICA

- 5.1. Users may only process personal information on data subjects if such information is necessary for business purposes of Sonae Arauco South Africa, or when the data subject has given consent that his/her personal information be collected by or on behalf of Sonae Arauco South Africa;
- 5.2. Before personal information of a data subject is processed by Sonae Arauco South Africa, Sonae Arauco South Africa will take reasonably practicable steps to ensure that the data subject is aware:
 - (a) That his/her personal information is processed;
 - (b) Of the purpose for which his/her personal information is being processed;
 - (c) Whether the providing of his/her personal information is voluntary or mandatory; and
 - (d) The consequences of failure to provide the information.
- 5.3. Users will, when processing personal information, not disclose such information to any unauthorised person, but only to the approved person/department that will use it for the original purpose.

- 5.4. Personal information will only be processed if:
 - (a) Such processing is necessary for business purposes of Sonae Arauco South Africa; or
 - (b) The processing was authorised, in writing, by the data subject or by the Information Officer or by the Deputy Information Officer; or
 - (c) A court order authorised such processing.
- 5.5. Access to personal information processed by Sonae Arauco South Africa will be restricted and limited to those users who need access to such information for Sonae Arauco South Africa's business purposes and who are authorised to access the personal information for that purpose only.
- 5.6. Users will not process personal information for personal or illegal purposes.
- 5.7. Personal information will be retained in accordance with Sonae Arauco South Africa defined retention periods.
- 5.8. The records of personal information must not be retained any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed, unless:
 - (a) Retention of the record is required or authorised by law;
 - (b) Sonae Arauco South Africa reasonably requires the record for lawful purposes related to its functions or activities;
 - (c) Retention of the record is required by a contract between the parties thereto; or
 - (d) The data subject or a competent person where the data subject is a child or has consented to the retention of the record.
- 5.9. Records of personal information may be retained for periods for historical, statistical or research purposes and Sonae Arauco South Africa will establish appropriate safeguards against the records being used for any other purposes.
- 5.10. Records containing data subjects' personal information must be destroyed or deleted or de-identified as soon as reasonably practicable after the responsible party is no longer authorised to retain those records.

- 5.11. The destruction or deletion of records of personal information must be done in a manner that prevents its reconstruction in an intelligible form.
- 5.12. On application by a data subject, Sonae Arauco South Africa will disclose:
- (a) Personal information Sonae Arauco South Africa processed about the data subject;
 - (b) The purpose the information was processed for;
 - (c) How the information was used; and
 - (d) How the information was disclosed, if at all.
- 5.13. On application by a data subject, Sonae Arauco South Africa will update or destroy any personal information of such individual if the information is not necessary for the future business purposes of Sonae Arauco South Africa.
- 5.14. Sonae Arauco South Africa may request, collect and store relevant personal information of a data subject for official business purposes.
- 5.15. Personal information of data subjects may only be used for legitimate and reasonable business purposes.
- 5.16. Personal information of data subjects will be stored in such a manner that only authorised Sonae Arauco South Africa's employees have access thereto.
- 5.17. It should not be possible for any employee (excluding authorised employees) to access personal information of other data subjects held by the Human Resources (HR) Department.
- 5.18. Personal information of data subjects will not be processed outside the purpose it was collected for, without the prior written consent of the data subject involved.
- 5.19. Sonae Arauco South Africa will take all reasonable steps to update personal information of data subjects in its possession.
- 5.20. Requests for access to personal information of data subjects by other parties may

only be made through the process defined in the POPIA Procedures Manual.

6. INFRINGEMENT OF EMPLOYEE PRIVACY

6.1 Sonae Arauco South Africa may, if necessary and required, infringe an employee's privacy in any manner and only:

- (a) If authorised by a legal and valid court order; or
- (b) With the prior written consent of the employee; or
- (c) If absolutely necessary to protect the security and confidentiality of Sonae Arauco South Africa's information, trade secrets and/or reputation.

6.2 Personal information must be processed:

- (a) Lawfully; and
- (b) In a reasonable manner that does not infringe the privacy of the data subject.

7. INTERCEPTION OF EMPLOYEE COMMUNICATIONS AND MONITORING

7.1 Interception of employee's communication may be done as per authorised business processes and procedure.

7.2 Employees are responsible for handing over the mobile device and any other tools of business (workstation, laptop, desktop) when notified that the device has been selected for an audit or as and when required for authorised business purposes.

7.3 The IT Department has a right to remotely access and delete all data on a mobile device if the mobile device is reported stolen, missing or lost and to prevent Sonae Arauco South Africa's data from being accessed by unauthorised parties.

7.4 The Regulation of Interception of Communications and Provision of Communication-related Information Act, No. 70 of 2002 regulates the interception of certain communications and the monitoring of certain signals and frequencies. It establishes certain offences and prescribes the penalties for these offences. Section 49(1), for

instance, provides that any person who intentionally intercepts or attempts to intercept any communication in the course of its occurrence or transmission is guilty of an offence, and section 54, for instance, provides that any person who intentionally and unlawfully and in any manner:

- (a) Modifies, tampers with alters, reconfigures or interferes with any telecommunication equipment, including a cellular phone and a SIM card or any part thereof; and
- (b) Reverse engineers, decompiles, disassembles or interferes with software installed on any telecommunication equipment including a cellular phone and a SIM card is guilty of an offence.

8. NO ONLINE PRIVACY EXPECTATIONS OR SONAE ARAUCO SOUTH AFRICA LIABILITY

8.1 Sonae Arauco South Africa cannot guarantee confidentiality or privacy of open electronic communication facilities used by employees, including but not limited to the internet, e-mail, instant messaging, File Transfer Protocol (FTP), newsgroups, subscriber directories and cookies.

8.2 Sonae Arauco South Africa will, as far as reasonably possible, provide employees with the necessary tools and guidelines to provide basic online privacy features such as tools to detect and destroy spyware located on employees' work stations.

9. EMPLOYEE DUTIES

Employees must:

9.1 Take all reasonable caution to prevent the unauthorised processing of data subjects' personal information;

9.2 Provide the Human Resources (HR) Department with accurate, timely and updated data about themselves and inform the mentioned department of any changes (e.g. change of physical address or change of name, etc.);

9.3 Ensure that they handle the personal information of Sonae Arauco South Africa's data subjects in line with the conditions of POPIA;

9.4 Ensure that they do not violate data subjects' constitutional right to privacy; and

9.5 Take due care to ensure the protection of personal information.

10. EMPLOYER DUTIES

10.1 The Information Officer has delegated duties and responsibilities in terms of POPIA to the Deputy Information Officer to be responsible for the implementation and maintenance of this Data Privacy Policy.

10.2 The Deputy Information Officer is responsible for implementing processes to ensure that Sonae Arauco South Africa protects the privacy of all data subjects and that all conditions of POPIA are fully complied with.

10.3 Sonae Arauco South Africa should use appropriate technical and managerial controls to protect the confidentiality and integrity of personal information.

11. SECURITY MEASURES ON INTEGRITY AND CONFIDENTIALITY OF PERSONAL INFORMATION

11.1 The Sonae Arauco South Africa should secure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable and technical measures to prevent:

- (a) loss of, damage to or unauthorised destruction of personal information; and
- (b) unlawful access to or processing of personal information.

11.2 In order to give effect to paragraph 11.1, Sonae Arauco South Africa must take reasonable measures to:

- (a) Identify all internal and external risks related to personal information in its possession or under its control;
- (b) Establish and maintain appropriate mitigation actions and measures regarding the risks identified;
- (c) Regularly verify that the mitigation actions and measures are effectively

- implemented and sustained; and
- (d) Ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
- 11.3 Sonae Arauco South Africa should have due regard to generally accepted information security practices and procedures which may apply to it.
- 11.4 Sonae Arauco South Africa should ensure that the data subjects' personal information is up to date, accurate, complete and reliable for its intended use.
- 11.5 Where there are reasonable grounds to believe that the personal information of an individual has been acquired by an unauthorized person, Sonae Arauco South Africa must notify the Information Regulator and the affected data subject(s) as soon as reasonably possible after the discovery of the compromise. This reporting should be done in line with the process defined in the POPIA Procedures Manual.
- 11.6 If a third party is used to process the personal information of Sonae Arauco South Africa's data subjects, that party must also treat the information as confidential and it must have security measures in place. Sonae Arauco South Africa should ensure that the contract entered into with that third party should contain POPIA related clauses as required by Section 21 of the Act.

12. CONSEQUENCES OF MISUSE OF PERSONAL INFORMATION BY USERS

- 12.1 All Sonae Arauco South Africa's employees and management shall comply with POPIA. Failure and or refusal to abide by the rules detailed in this policy may be deemed as misconduct and Sonae Arauco South Africa may initiate the appropriate investigation and disciplinary actions against employees, which may lead to a dismissal and/or civil action.
- 12.2 A claim of ignorance as to the existence and/or application of this policy shall not be grounds for justification of non-compliance.

13. LEGISLATIVE/REGULATORY FRAMEWORK

- 13.1 Promotion of Access to Information Act, No. 2 of 2000
- 13.2 Protection of Personal Information Act, No. 4 of 2013
- 13.3 Electronic Communications and Transactions Act, No. 25 of 2002
- 13.4 Regulation of Interception of Communications and Provision of Communication related Information Act, No. 70 of 2002