
PURCHASING PRIVACY NOTICE

NOTIFICATION ON PROCESSING OF SUPPLIER PERSONAL INFORMATION IN TERMS OF SECTION 18 OF THE PROTECTION OF INFORMATION ACT, 4, OF 2013 ("POPIA")

1. DEFINITIONS

1.1 "Personal Information" means information relating to any identifiable, living natural person, and where 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 person;
- (b) information relating to the education for the medical, financial, criminal or employment history of the person;
- (c) any identifying number, symbol, e-mail address; physical address, telephone number, location information, online identifier or other particular 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 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 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.

1.2 "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:

- (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;
- (c) merging, linking, as well as restriction, degradation, erasure or destruction of information;
- (d) sharing, transfer and further processing of such information.

1.3 "Record" means any recorded information:

- (a) regardless of form or medium, including any of the following:
 - (i) writing on any material;
 - (ii) information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;
 - (iii) book, map, plan, graph or drawing;
 - (iv) 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 a responsible party;
- (c) whether or not it was created by a responsible party; and
- (d) regardless of when it came into existence.

- 1.4 “Responsible party” means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information;

2. PURPOSE FOR THE COLLECTION OF PERSONAL INFORMATION

2.1 In order for VWSA to enter into a contractual or other business relationship with you and to ensure that VWSA manages the relationship in line with its legal, operational and business objectives, strategies, and mandates and applicable legislation, VWSA needs to process Personal Information pertaining to you, which Personal Information will be used for a number of legitimate purposes, including, but not limited to, the following:

- (a) Inviting you to submit quotations and other information to assess whether VWSA will enter into a business relationship with you.
- (b) Receiving quotations and other documentation you submit to VWSA.
- (c) Assessment of related requirements and capabilities for the purposes of assessing whether you are capable of providing VWSA with the agreed goods and/or services.
- (d) Assessing whether there any impediments to VWSA entering into a business relationship with you.
- (e) Entering into a contractual relationship and conducting business with you.
- (f) Compliance with applicable laws.
- (g) Investigation where this becomes necessary in VWSA’s discretion.
- (h) Protection of your or VWSA’s legitimate interests.
- (i) Risk assessment and other audits.
- (j) Receipt of information relating to criminal history, civil judgments, credit records or default history.
- (k) Security clearance and security access control for the purposes of access to VWSA premises, facilities and systems.
- (l) Making contact with you.
- (m) Providing information to you.
- (n) Academic research and statistical analysis purposes.
- (o) Pursuing a party’s legitimate interests.
- (p) Performing internal VWSA operations.
- (q) Detection, investigation and prevention of unlawful activities.
- (r) Safety and security.
- (s) Managing the business relationship between you and VWSA.

- (t) Provision or receipt of Legal services.
- (u) Advertising, marketing, public relations and related communications.
- (v) Facilitation of Communications.
- (w) Reporting of matters specified by VWSA from time to time.

2.2 VWSA may access your Personal Information from you and/or or from third parties.

2.3 VWSA will take reasonable measures in an endeavour to restrict its use of your Personal Information to the purposes provided for in this Notice and for no other purpose, unless with your express and prior permission.

3. MANDATORY PROVISION OF PERSONAL INFORMATION

Should you refuse to provide VWSA with or access to your Personal Information, which information is required by VWSA for the purposes specified in this Notice, then VWSA may be unable to engage with you and / or enter into any subsequent relationship with you.

4. STORAGE, RETENTION AND DESTRUCTION OF INFORMATION

4.1 Your Personal Information will be stored in a manner which, for operational reasons, may be accessible to VWSA's employees, subcontractors or representatives who require the information in order to be able to perform the functions required by VWSA.

4.2 VWSA shall take reasonable steps in an endeavour to ensure that:

- (a) Appropriate security safeguards are used regarding the security of your Personal Information.
- (b) Once your Personal Information is no longer required or the purpose for which the Personal Information was held has come to an end, such Personal Information is safely and securely archived for the requisite and prescribed retention periods as required by applicable law, or in accordance other periods as VWSA may determine if VWSA is of the view that there is a legitimate purpose for doing so.
- (c) On expiration of the applicable retention period, such Personal Information is either de-identified (i.e. removed of information which identifies you), deleted or archived in accordance with applicable legislation, or destroyed.

5. ACCESS BY OTHERS AND CROSS BORDER TRANSFER

5.1 VWSA may from time to time be required to disclose your Personal Information to other parties including, but not limited to, its parent company, subsidiaries, trading partners, auditors, regulatory bodies or other authorised parties.

5.2 When disclosing your Personal Information, VWSA will endeavour to ensure that the disclosure is subject to the party receiving the Personal Information being contractually obliged to comply with strict confidentiality and data security conditions.

5.3 Where Personal Information and related data is transferred to a country which is situated outside the borders of South Africa, VWSA will take reasonable measures in an endeavour to ensure that your Personal Information will only be transferred to those countries which have similar data privacy laws in place or where the recipient of the Personal Information is bound contractually to a no lesser set of obligations that those imposed by POPIA.

6. RIGHT TO OBJECT AND COMPLAINTS

If you are not comfortable or satisfied with the manner in which VWSA is processing your Personal Information, you may make immediate contact with the VWSA Information Officer by sending an email to info.officer@vwsa.co.za

If you are not satisfied with VWSA's response you have the right to lodge a complaint with the Information Regulator. Contact Details:

Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Postal address: P.O Box 31533, Braamfontein, Johannesburg, 2017

Complaints email: complaints.IR@justice.gov.za

General enquiries email: inforeg@justice.gov.za

7. ACCURACY OF INFORMATION AND ONUS

POPIA requires that all your Personal Information and related details, as supplied are complete, accurate and up-to-date. Whilst VWSA will endeavour to ensure that your Personal Information is accurate, it will be your responsibility to advise VWSA of any changes to your Personal Information, as and when these occur. This can be done by contacting the VWSA Information Officer at popia.purchasing@vwsa.co.za.

8. ACCESS TO INFORMATION

You have the right to request VWSA to provide you with details of your Personal Information which VWSA holds, and/or the purpose for which it has been used. This can be done by sending a request for access to information email to popia.purchasing@vwsa.co.za

9. AMENDMENTS AND SUCCESSORS IN TITLE

9.1 VWSA reserves the right to amend this Notice from time to time.

9.2 Please therefore check the relevant VWSA website periodically to inform yourself of any changes to the Notice.

9.3 The rights and obligations of the parties under this Notice will be binding on, and will be of benefit to, each of the parties' successors in title and / or assigns where applicable.

10. DECLARATION AND INFORMED CONSENT

By providing VWSA with your Personal Information, supplying goods, rendering services to VWSA, accessing VWSA's premises or information systems, you:

10.1 Agree and give VWSA express permission to process all Personal Information which you provide to VWSA, including all Personal Information which has been requested by VWSA, provided by you on a voluntary basis or independently sourced by VWSA.

- 10.2 Confirm that the Personal Information provided to VWSA is accurate, up-to-date, not misleading and complete in all respects. If there are changes you undertake to advise VWSA of these changes.
- 10.3 Acknowledge that you understand the purposes for which Personal Information is required and for which it will be used.
- 10.4 Warrant that should any of the Personal Information which has been provided by you concern or pertain to a legal entity which you represent, you have the necessary authority to act on behalf of such legal entity and that you have the right to provide the Personal Information and/or required consent to use said Personal Information, on behalf of the aforementioned legal entity.

For further information contact:

Office of Information Officer
103 Algoa Road
Alexander Industrial Park
Kariega
Email: info.officer@vwsa.co.za