



## **AfriSam Website Privacy Policy**

### **Introduction**

This Privacy Policy applies to all visitors to our website and to AfriSam's Procurement and Vendor Portal, and all customers (meaning "you", "your", the user of this website) who have subscribed to the services which AfriSam (South Africa) (Pty) Ltd ("AfriSam", "we", "us", or "our") offers.

This Privacy Policy only applies to the <https://www.afrisam.co.za> website and to AfriSam's Procurement and Vendor Portal as accessible at <https://afrisam.procure.co.za> (both collectively referred to hereinafter as the "website"). AfriSam affiliate websites and AfriSam's Partnerships and Associations websites will contain their own Privacy Policy and it is recommended that you review each website's Privacy Policy independently.

### **Who we are**

AfriSam is a leading supplier of superior quality construction materials and technical solutions. Our cement, ready-mix concrete and aggregate materials have been making significant contributions to infrastructure development on the continent over the last 85 years. Our business is guided by our values of People, Planet and Performance which form the basis of every decision we make. We see ourselves as part of the communities in areas within which we operate and strive for a responsible and engaging approach with all stakeholders. Our on-going upliftment initiatives in these areas are collaborative and seek to find sustainable solutions to basic development issues.

### **Purpose of this Policy**

We respect the privacy of everyone who visits AfriSam's website and we take the protection of Personal Information seriously. The purpose of this Privacy Policy is to describe the manner in which we process the Personal Information collected by AfriSam and/or provided by you electronically when you access and use the services or facilities provided on AfriSam's website.

### **Applicable and Governing Law**

This Privacy Policy will be governed by the laws of South Africa and the English language shall take precedence above all other languages with regards to the content of AfriSam's website. By visiting this website, you consent to the jurisdiction of the South African courts for any dispute which may arise out of this Privacy Policy.

AfriSam adheres to the provisions of the Protection of Personal Information Act, 2013 ("Act"). In accordance with the requirements of the Act, AfriSam will:

- Only collect, collate, process, disclose and store your Personal Information with your consent unless legally required to do so, and will only use such information for the lawful purpose for which it is required.
- Disclose in writing, the specific purpose for which we will use, request and store your Personal Information. We will also keep a record of that Personal Information and the specific purpose for which we collect it.

- Not use your Personal Information for any other purpose, other than that which we disclose to you, unless you give us your express permission to do so, or unless we are permitted to do so by law.

### **Changes to this Policy**

Please note that AfriSam reserves the right to amend (including without limitation, by the addition of new terms and conditions) this Privacy Policy from time to time. You agree to review this Privacy Policy whenever you visit AfriSam's website for any such amendments. Save as expressly provided to the contrary in this Privacy Policy, any amended version of this Privacy Policy shall supersede and replace all previous versions thereof.

### **What is Personal Information?**

#### **Inclusion**

In accordance with the Act, Personal Information broadly means any information relating to an identifiable, living natural person (such as all website visitors and AfriSam customers) or juristic person (such as AfriSam's customers, AfriSam's 3<sup>rd</sup> (third) party suppliers, contractors or service providers, its affiliate companies, partnerships, associations, etc.) and includes, but is not limited to the following:

- **contact details:** email address, telephone, physical address, location, online identifier.
- **demographic information:** age, sex, race, birth date, pregnancy, marital status, nationality, ethnicity, colour, sexual information, disability, religion, conscience, belief, culture, language.
- **history:** employment, financial, educational, criminal, medical history
- **biometric information:** personal identification based on physical, physiological or behavioural characterisation.
- **opinions** of and about a person, memberships and unions.
- **private correspondence** sent by a person.
- **name** of a person if it includes any of the above information.

#### **Exclusion**

The following Personal Information is excluded from the provisions of this Privacy Policy:

- Information that has been made anonymous so that it does not identify a specific person,
- Permanently de-identified information that does not relate, or cannot be traced back to you specifically,
- Information that involves national security, or
- Non-personal statistical information collected and compiled by us and information that you have provided voluntarily in an open, public environment or forum including (without limitation) any blog, community, classifieds or discussion boards. Because this information has been disclosed in a public forum, it is no longer confidential and does not constitute Personal Information subject to protection under this Privacy Policy.

#### **Your Obligations**

When you contact us or use the services or facilities provided by us on AfriSam's website, you may be given a user name, password and/or a Personal Identification Number (PIN). You are responsible for maintaining the secrecy and confidentiality of your user name, password and/or PIN.

## **Collection**

### **Purpose Specification**

In order to provide you with the services and facilities offered on our website, you may be required to provide AfriSam with Personal Information that identifies you as an individual or your corporate entity as a juristic person. The type of information we collect will depend on the purpose for which it is collected and used and AfriSam will only collect information that we need for the specific purpose for which it was collected.

### **Purpose of Collection**

During the course of its business activities on its website, and so as to facilitate your registration, respond your enquiries or provide the products, services or facilities requested by you, AfriSam will be required to:

- Identify you,
- Authenticate you,
- Register you,
- Communicate requested information to you,
- Provide products and/or services to you and/or receive payment at your request or initiation,
- Keep your records up-to-date,
- Enforce debt collection (in relation to the AfriSam Online Credit Application Facility),
- Provide you with access to restricted pages through our website,
- Interact with you on the LiveHelp chat functionality (in relation to the AfriSam ClickToGo platform),
- Compile non-personal statistical about browsing habits, click patterns and access to the website, and
- In relation to AfriSam's Procurement and Vendor Portal particularly, AfriSam shall also (as applicable):
  - Register you as a new vendor;
  - Maintain your vendor data;
  - Request quotations;
  - Issue tenders; and
  - Report on its procurement activities as required by law.

AfriSam reserves the right to contact you regarding your account status, changes to the terms and conditions and other matters relevant to the underlying services and/or the information collected.

### **Collection on Registration and/or use of the Credit Application and/or Online Payment Gateway and/or AfriSam ClickToGo platforms**

Once you register on our website, complete a credit application, make payment via AfriSam's Online Payment Gateway or use AfriSam ClickToGo to place an order with AfriSam (amongst other of the AfriSam ClickToGo functionalities), you will no longer be anonymous to us as you will be required to directly provide certain of the following Personal Information (as may be applicable, having regard to the purpose for which such Personal Information is required):

- Your name and surname,
- Your identity number if a sole proprietor (or if you are applying or purchasing in your personal capacity), and the identity numbers of any trustee(s) or partners to the extent relevant,
- Your email address,
- Your telephone number,
- Your company or close corporation name, company registration number, VAT number and the identity number(s) of its member (s) or director(s),
- Your banking details/bank statements and/or credit card information,

- Your credit history and related credit information,
- Your salary advice, proof of address details and identity documentation,
- Your postal and/or street address,
- Your required delivery address,
- Your username and password,
- Your sold to/customer number, and
- Your AfriSam Internal Order Number (ION).

### **Collection on Submitting an Enquiry / Contacting Us**

Similarly, once you submit an enquiry or otherwise contact us using the form available on AfriSam's website, you will no longer be anonymous to us as you will be required to provide the following Personal Information:

- Your name and surname,
- Your email address, and
- Your telephone number.

### **Collection on Registration and/or use of AfriSam's Procurement and Vendor Portal**

Once you register on or use AfriSam's Procurement and Vendor Portal to engage with AfriSam as a vendor of AfriSam, you will no longer be anonymous to us as you will be required to directly provide certain of the following Personal Information, as applicable:

- Your name and surname,
- Your identity number if a sole proprietor, and the identity numbers of any trustee(s) or partners to the extent relevant,
- Your email address,
- Your telephone number,
- Your company or close corporation name, company registration number, VAT number and the identity number(s) of its member (s) or director(s),
- Your banking details,
- Your postal and/or street address,
- Your tax clearance certificate,
- Your Broad-Based Black Economic Empowerment ("B-BBEE") status in accordance with the B-BBEE Act, 2003,
- Your Letter of Good Standing with the Department of Employment and Labour, and
- Your AfriSam vendor number.

For the avoidance of doubt, to the extent that the above Personal Information has already been collected from you by AfriSam in terms of its manual vendor application process and you are an existing vendor of AfriSam, your Personal Information will be imported to AfriSam's Procurement and Vendor Portal, maintained thereon and otherwise processed in accordance with the provisions of this Privacy Policy.

We will use this Personal Information for the purposes for which it was provided, being to register your account, process your credit application, receive your payment, provide products and/or services to you, engage with you as an AfriSam vendor or attend to your enquiry (as applicable) and to provide any additional services and information to you as is reasonably compatible with such purpose (and for the other purposes out in this Privacy Policy).

Your provision of the requested Personal Information is therefore mandatory, as your failure to provide the required Personal Information will result in AfriSam being unable to attend to the tasks specified under "Purpose of Collection" above.

## Collection from Browser

AfriSam will automatically receive and record internet usage information on our server logs from your browser such as the following usage information:

- Internet Protocol address (IP) address,
- Browsing habits,
- Click patterns,
- Versions of software installed,
- System type,
- Screen resolutions,
- Colour capabilities,
- Plug-ins,
- Language settings,
- Cookie preferences,
- Search engine keywords,
- JavaScript enablement,
- The content and pages that you access on the website,
- The dates and times that you visit the website,
- Paths taken, and
- The time spent on sites and pages within the website.

AfriSam may use this usage information to:

- Pre-populate your information so that you will not have to re-enter it during your visit or the next time you access AfriSam's website,
- Monitor website usage metrics such as the total number of visitors and pages accessed,
- Track your entries, submissions, and the status of any other activities in connection with your usage of the website, and
- Facilitate your interaction on the LiveHelp chat functionality (in relation to the AfriSam ClickToGo platform), which will enable you to interact with a third-party live help chat platform directly from the pages of the website, for purposes of contacting and being contacted by the AfriSam ClickToGo platform's support service (which time you spend on both the LiveHelp chat functionality and on the ClickToGo platform itself shall be included in reports to be drawn for AfriSam). The LiveHelp chat conversations will also be logged and transcribed. As the LiveHelp chat external application is a functionality provided by a third party company, HelpSquad, LLC, your use of the LiveHelp chat functionality shall be governed by HelpSquad, LLC's privacy policy (a copy of which is available at <https://helpsquad.com/about/privacy-policy/>).

## Consent for Processing

AfriSam will obtain your consent to collect and process your Personal Information where necessary:

- In accordance with the Act and applicable law, and
- At the time you provide us with any registration information and optional information on AfriSam's website, albeit
- That the collection of Personal Information from you may be necessary in order to carry out the actions for the performance or conclusion of a contract between you and AfriSam.

AfriSam values the information you provide to us and will therefore take reasonable steps to protect your Personal Information from loss, misuse, or unauthorised alteration. AfriSam will ask for your consent before we use your Personal Information for any purpose not disclosed in this Privacy Policy.

## **Retention**

AfriSam will only retain your Personal Information for as long as it is necessary to fulfil the purposes mentioned in this Privacy Policy, unless:

- Retention of the record is required or authorised by law, or
- You have consented to the retention of the record.

During the retention period, AfriSam will continue to abide by its non-disclosure obligations.

## **Accuracy**

AfriSam will keep the Personal Information we collect from you as accurate, complete and up-to-date as is necessary for the purposes explicitly defined in this Privacy Policy. From time to time, AfriSam may request you to update your Personal Information on the website. You are able to review or update any Personal Information that we hold of you by accessing your account online, emailing us at [customer.service@za.afrisam.com](mailto:customer.service@za.afrisam.com), completing the form on AfriSam's website or phoning us on 0860 141 141 / (011) 670 5500.

## **Request for Access to Information**

You have the right to request a copy of the Personal Information we hold about you. To do this, kindly contact us by emailing us at [customer.service@za.afrisam.com](mailto:customer.service@za.afrisam.com), completing the form on AfriSam's website or phoning us on 0860 141 141 / (011) 670 5500. Please specify what information you would like and we will then take all reasonable steps necessary to confirm your identity before providing details of your Personal Information.

Please note that any such access request may be subject to a payment of a legally allowable fee, and in accordance with the Promotion of Access to Information Act as set out in our section 51 PAIA Manual, available on this website.

## **Correction of your Personal Information**

You have the right to ask us to update, correct or delete your Personal Information. We will take all reasonable steps necessary to identify you before making changes, or deletion of your Personal Information we may hold about you. We would appreciate it if you would take the necessary steps to keep your Personal Information accurate and up-to-date by notifying us of any changes that we need to be aware of. To do this, kindly contact us by emailing us at [customer.service@za.afrisam.com](mailto:customer.service@za.afrisam.com), completing the form on AfriSam's website or phoning us on 0860 141 141 / (011) 670 5500.

## **Right to object**

You may, on reasonable grounds, object to us using your Personal Information. If you object, we will stop using your Personal Information (except if the law allows its use) and we will as a result no longer be able to offer the services or facilities available on our website to you.

## **How we use your information**

AfriSam will use your Personal Information and non-personal Information only for the purposes for which it was collected or agreed with you, for example:

- Collect information about the device you are using to view the site, such as your IP address or the type of internet browser or operating system you are using, and link this to your Personal Information so as to ensure that the presents the best web experience for you.
- Evaluate the use of the website, products, facilities and services.
- For audit and record keeping purposes.
- For monitoring the site usage.
- Help speed up future activities and experiences on the website.
- In connection with any relevant legal proceedings, such as may be required to enforce debt collection (in relation to the AfriSam Online Credit Application Facility).

- Make the website easier to use.
- Personalise your website experience.
- Carry out our obligations arising from any contracts entered into between you and us.
- To conduct market or customer satisfaction research or for statistical analysis.
- To confirm and verify your identity or to verify that you are an authorised customer for security purposes.
- To notify you about any changes to our services.
- To respond to your queries and or comments.
- To comply with legal and regulatory requirements or industry codes to which we subscribe to or which may apply to us, or when it is otherwise allowed by law.

## Disclosure

AfriSam may collect, maintain, save and compile any information collected from you and in addition, share and disclose such information to the below stipulated authorised AfriSam 3<sup>rd</sup> (third) parties, subject to the following provisions:

- AfriSam shall **not** disclose Personal Information received from you unless you consent thereto, unless such disclosure is in accordance or compatible with the purpose for which it was collected (which shall include disclosure to those 3<sup>rd</sup> (third) parties who are involved in the delivery of AfriSam's products or services to you, and which further processing shall be subject to the relevant security safeguards stipulated in this Privacy Policy),
- AfriSam shall disclose Personal Information without your consent:
  - If required by law, a subpoena or a court order.
  - To protect the safety of individuals or the general public.
  - To prevent violations of our terms of service.
- We may also disclose your information:
  - Where we have a duty or a right to disclose in terms of law or industry codes, and
  - Where we believe it is necessary to protect our rights.

AfriSam may disclose your Personal Information with, and obtain information about you from:

- 3<sup>rd</sup> (third) parties for the purposes listed in this Privacy Policy.
- Credit Bureaus and other financial institutions.
- Other 3<sup>rd</sup> (third) parties from whom you have chosen to receive information.

We may also give the following authorised 3<sup>rd</sup> (third) parties Personal Information that we process in the ordinary course of our business to fulfil our obligations to our customers or clients:

- Contractors, Vendors, or Suppliers,
- Agents, Partners, or affiliate companies,
- Credit Bureaus to report account information, as permitted by law,
- Various divisions within our organisation such as fraud prevention, marketing, customer support, account collections etc.
- Operators, other responsible parties, or co-responsible parties, and
- 3<sup>rd</sup> (third) party vendors (such as software developers) to help us maintain our services.

## Linked Websites

AfriSam may from time-to-time provide links to other related websites as a service to our users. AfriSam does not endorse or take responsibility for information contained on those websites.

When you link to another website, you are no longer on the <https://www.afrisam.co.za> website or the <https://afrisam.procure.co.za> website and this Privacy Policy will no longer apply. Links may be provided to websites belonging, but not limited, to the following AfriSam Partnerships and Organisations:

- South African Institute of Architects
- World Wildlife Fund
- Wildlife and Environment Society of South Africa
- Green Building Council of South Africa
- Cement & Concrete SA
- Concrete Manufacturers Association
- Concrete Society of Southern Africa
- Concreteflooring.co.za
- YouTube
- LinkedIn
- Facebook
- Twitter

## **Security Safeguards**

AfriSam takes the security of Personal Information seriously and will always do the best to comply with applicable data protection and privacy laws. Personal Information collected online is stored on the AfriSam web server. The information is not publicly accessible and is kept secure through the use of Firewalls, Intrusion Prevention Systems, Antivirus software, data encryption, and other appropriate advanced security measures to prevent interference or access from outside intruders. We authorise access to Personal Information only to those employees who require it to fulfil their job responsibilities. In addition, AfriSam takes reasonable steps to keep Personal Information accurate, current, complete, and reliable for its intended use. Similarly, where AfriSam uses 3<sup>rd</sup> (third) parties to process Personal Information, it requires them to take appropriate, reasonable technical and organisational measures to prevent the loss of, damage to or unauthorised destruction of Personal Information and unlawful access to or processing of Personal Information, and to maintain and update those safeguards. When Personal Information is transferred to a jurisdiction outside of South Africa, we will only transfer the Personal Information where permitted to do so in accordance with the provisions applicable to trans-border flow of Personal Information under the Act.

## **Prohibition**

It is expressly prohibited for any person, business, or entity to gain or attempt to gain unauthorised access to any information on this website, or to deliver or attempt to deliver any unauthorised, damaging or malicious code to this website. Any person who delivers or attempts to deliver any unauthorised, damaging or malicious code to this website or attempts to gain unauthorised access to any pages on this website shall be held criminally liable, and in the event that AfriSam should suffer any damage or loss, then civil damages will be claimed.

## **Cookie Policy**

Cookies are small data files that your browser places on your computer or mobile device (if your browser allows it). Although the Act does not explicitly mention cookies, it will apply because cookies can contain Personal Information. Cookies help your browser navigate a website. When a server uses a web browser to read cookies they can help a website deliver a more user-friendly service. To protect your privacy, your browser only gives website access to the cookies it has already sent to you.

## **Why do we use cookies?**

The website site uses cookies to recognize and keep certain information. That information may be used to recognize your computer and browser from current or past visits to this site. We may use this cookie-captured information to improve our service to you, to aggregate information about visitors to the site and their behaviour, to remember you, to understand and save user preferences, or to keep track of advertising. We may contract with 3<sup>rd</sup> (third) party service providers to assist us in better understanding our site visitors. In most Internet browsers, you can change your settings so that you will be warned each time a cookie is being sent, or so that cookies will be turned off. With cookies blocked, some functions of the site may not operate properly.



Some of the cookies we use are session cookies and only lasts until you close your browser, others are persistent cookies which are stored on your computer for longer.

### **3<sup>rd</sup> (third) Party cookies**

For some of the functions within this website, we use 3<sup>rd</sup> (third) party suppliers (for example, when you visit a page with videos embedded from or links to YouTube). These videos or links (and any other content from 3<sup>rd</sup> (third) party suppliers) may contain 3<sup>rd</sup> (third) party cookies and you may wish to consult the policies of these third party websites for information regarding their use of cookies.

### **Reject and Delete cookies**

Should you choose to reject or block the cookies set by this website and the websites of any 3<sup>rd</sup> (third) party suppliers by changing your browser settings – see the Help function within your browser for further details. Please note that most browsers automatically accept cookies so if you do not wish cookies to be used, you may need to actively delete or block the cookies. For information on the use of cookies in mobile phone browsers and for details on how to reject or delete such cookies, please refer to your handset manual. Note, however, that if you reject the use of cookies you will still be able to visit our websites but some of the functions may not work correctly.

### **Lodging a complaint**

If you believe we are using your Personal Information unlawfully, you may lodge a complaint to the Information Regulator with the following contact details:

The Information Regulator (South Africa)

SALU Building

316 Thabo Sehume Street

Pretoria

Tel: +27(0)12 406 4818

Email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

### **Acceptance of this Policy**

By using AfriSam's website or registering for AfriSam's facilities or services, you agree to be bound by and shall be regarded to have accepted to abide by the terms of the Privacy Policy and acknowledged to have read and understood them. If you do not agree to the terms of the Privacy Policy, you should not enter, view or make use of AfriSam's website or the services or facilities provided on the website.

You may not access our website or use our services if you are under the age of 18 years, or do not have the legal capacity to conclude legally binding contracts.

### **Legal Costs**

AfriSam shall not be liable for any costs incurred by you to obtain professional advice relating to any dispute arising out of this Privacy Policy.