



The Tyneside Nautical Charts and Publications (Pty) Ltd

Reg. No. 2022/645466/07

Shop 11 John Ross House
22 Margaret Mncadi Avenue
Durban 4001
SOUTH AFRICA

Telephone: +27 31 337 7005

E-mail: sales@tyneside.co.za

Webpage: www.tyneside.co.za

POPI ACT POLICY of THE TYNESIDE NAUTICAL CHARTS AND PUBLICATIONS (PTY) LTD and its subsidiary CHARTS INTERNATIONAL

Overview

The POPI Act, Act No. 4 of 2013: Protection of Personal Information Act, sets out the minimum standards regarding accessing and 'processing' of any personal information belonging to another. The Act defines 'processing' as collecting, receiving, recording, organizing, retrieving, or the use, distribution or sharing of any such information.

All organisations and individuals in South Africa that can obtain, handle and store the personal information of another individual, whether it be in terms of their employment or as suppliers or service providers, must adhere to the requirements of the Act and implement steps to safeguard this information.

In order for The Tyneside to conduct business, the company needs to collect, and "process", information (data) related to facilitate this business.

The following document is a record of how The Tyneside will process and safeguard this information.

1. Definitions

- 1.1. "**Business**" means the business of The Tyneside Nautical Charts and Publications (PTY) Ltd and its subsidiary Charts International, which involves all operations of The Tyneside and Charts International, and which includes all matters reasonably connected thereto, including matters relating to legal and corporate governance;
- 1.2. "**Tyneside**" means "The Tyneside Nautical Charts and Publications (PTY) Ltd", a company registered in the Republic of South Africa with registration number: 2022/65466/07, and its subsidiary, "Charts International";
- 1.3. "**Data Subject**" means any Person whose Information Tyneside Processes, and this may include Information pertaining to the Tyneside's employees, candidates for employment, customers, suppliers, officers, business associates, partners, and the like.
- 1.4. "**Information**" means "personal information" and "special personal information" as defined in POPIA.
- 1.5. "**Information Officer**" means the person described in clause 11;
- 1.6. "Information Regulator" means the information regulator as that term is defined in Section 39 of POPIA;
- 1.7. "**Operator**" means a Person who Processes Information on behalf of Tyneside in terms of a contract or mandate, without coming under the direct authority of Tyneside and may include, without limitation, Tyneside's attorneys, auditors and other such organisations.
- 1.8. "**Person**" means a person defined in POPIA, and "Persons" will have a corresponding meaning;
- 1.9. "**Policy**" means this policy and any amendments made to it from time to time;
- 1.10. "**POPIA**" means the Protection of Personal Information Act No. 4 of 2013;
- 1.11. "**Process**" and "**Processing**" means anything that is done by Tyneside in relation to its Data Subject's Information, whether or not by automated means, including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, use, dissemination, distribution, merging, linking, restriction, degradation, erasure and/or destruction of Information;

Managing Director: TAS O'Brien Director: JD Naysmith Director: DB Wilson-Harris

OFFICIAL DISTRIBUTION AGENTS FOR:



2. **Minimum Requirements for Processing Information**

In order for Tyneside to Process Information in a manner which is consistent with POPIA, Tyneside must:

- 2.1. Process the Information lawfully and in a reasonable manner that does not infringe the right to privacy of the Person whose Information is being Processed;
- 2.2. Process the Information for a specific, explicitly defined and lawful purpose related to a function or activity of Tyneside;
- 2.3. Process the Information only if, given the purpose for which it is Processed, it is adequate, relevant and not excessive and if:
 - 2.3.1. the Person whose Information will be Processed has consented to its Information being Processed;
 - 2.3.2. it is necessary to Process the Information to carry out actions for the conclusion or performance of a contract to which the Person whose Information will be Processed is a party; or
 - 2.3.3. it is necessary to Process the Information to comply with an obligation imposed by law on Tyneside or to protect a legitimate interest of Tyneside and/or the Person whose Information will be Processed;
- 2.4. take reasonable steps to ensure that the Person whose Information will be Processed is aware of the Information that will be Processed, the source from which that Information will be collected and the purpose for which that Information will be Processed;
- 2.5. take reasonable steps to ensure that the Information that is Processed is complete, accurate, not misleading and updated where necessary;
- 2.6. take reasonable technical and organisational measures to secure the integrity and confidentiality of Information that is Processed so as to prevent the loss, damage or unauthorised destruction of Information and the unlawful access to or Processing of Information; and
- 2.7. take reasonable steps to ensure that the Person whose Information will be Processed is aware of his rights in and to his Information.

3. **Purpose of and Processing Information**

- 3.1. Tyneside will only Process Information for a specific, explicitly defined and lawful purpose related to a function or activity carried out by it.
- 3.2. Tyneside will accordingly Process the Information of its Data Subjects from time to time for the purpose of carrying on its Business and for good and lawful cause.
- 3.3. Tyneside will ensure that it only Processes the Information of its Data Subjects for the specific purpose referred to in clause 3.2 of this Policy and will take reasonable steps to ensure that its Data Subjects are aware of that purpose.

4. **Source of Information**

- 4.1. Tyneside will only Process Information that it receives directly from a Data Subject, save where:
 - 4.1.1. the Information is public record or has deliberately been made public by the Data Subject;
 - 4.1.2. the Data Subject has consented to the collection by Tyneside of the Information from another source;
 - 4.1.3. the collection of Information from a source other than the Data Subject would not prejudice a legitimate interest of the Data Subject, is necessary to maintain or comply with an obligation imposed on Tyneside by law or to maintain the legitimate interests of Tyneside or the Information will be used for legal proceedings;
 - 4.1.4. it is not reasonably practicable in the circumstances of the particular case to collect the Information directly from a Data Subject, or to do so would prejudice a lawful purpose of the collection, or
 - 4.1.5. it has received the consent of a Data Subject to Process Information about that Data Subject that it receives from another source, in which event it may Process Information about a Data Subject that it receives from another source.

5. **Awareness and Consent**

- 5.1. Tyneside is required to ensure that its Data Subjects are aware of the purpose for which their Information is being Processed, the manner in which it will be Processed and their rights in respect thereof. Tyneside will do this by:

- 5.1.1. publishing a copy of this Policy on its websites at www.tyneside.co.za or www.chartsinternational.co.za;

Managing Director: TAS O'Brien Director: JD Naysmith Director: DB Wilson-Harris

OFFICIAL DISTRIBUTION AGENTS FOR:



- 5.1.2. making a copy of this Policy available for inspection at its principal place of business at Shop 11, 22 Margaret Mncadi Ave, Durban, 4001;
- 5.1.3. using bona fide endeavours to communicate the existence of this Policy to those of its Data Subjects whose Information Tyneside has Processed prior to the date referred to in Section 114(1) of POPIA;
- 5.1.4. referring to this Policy in its recruitment and/or job advertisements; and
- 5.1.5. incorporating this Policy by reference into, inter alia, the following documents:
 - 5.1.5.1. employment agreements;
 - 5.1.5.2. standard terms and conditions of trading;
 - 5.1.5.3. offer to purchase contracts;
 - 5.1.5.4. job cards;
 - 5.1.5.5. credit applications; and
 - 5.1.5.6. any other contracts or agreements that Tyneside may enter into with its Data Subjects.
- 5.2. Tyneside will, where it is necessary or appropriate to do so, obtain the written consent of its Data Subjects to Process their Information in accordance with POPIA, inter alia, by:
 - 5.2.1. requesting its Data Subjects to consent to the Processing by Tyneside of their Information; and
 - 5.2.2. requiring applicable Data Subjects to sign any one or more of the documents contemplated in clause 5.1.5 of this Policy.
- 5.3. Tyneside will catalogue and store the record of consents that it obtains from its Data Subjects.

6. Retention and safeguarding of Information

- 6.1. Tyneside is required to store, retain and secure the integrity and confidentiality of its Data Subjects' Information by taking appropriate, reasonable technical and organisational measures to prevent the loss, damage or unauthorised destruction of their Information and to prevent any person from unlawfully accessing their Information.
- 6.2. Tyneside will accordingly secure the integrity and confidentiality of its Data Subjects' Information, inter alia, by ensuring that:
 - 6.2.1. Information that is in printed form is dealt with only by those representatives of Tyneside who need to deal with that Information;
 - 6.2.2. Information that is in printed form is stored in a secure cabinet or facility when it is not being Processed;
 - 6.2.3. all Information in electronic form is stored in an online location that is protected from unauthorised access by appropriate hardware and software;
 - 6.2.4. any hardware on which Information is stored is secure and password protected;
 - 6.2.5. employees and officers of Tyneside will ensure that Information is not displayed upon their computer hardware when they are not themselves Processing that Information on such hardware; and
 - 6.2.6. where any device on which Information is stored is lost or stolen, the Information Officer is immediately notified and Tyneside will use reasonable endeavours to attempt to recover and/or delete any Information stored upon that device.
- 6.3. Tyneside will review the Information that it Processes and stores from time to time, and will destroy and/or delete any Information of its Data Subjects that is no longer required for the purpose in clause 3 of this Policy, or that it is no longer authorised or obliged to retain.

7. Breach of Security

- 7.1. In the event that it comes to the attention of Tyneside that its Data Subjects' Information has been accessed, acquired or Processed by any unauthorised person:
 - 7.1.1. the Information Officer will notify the applicable Data Subject or Data Subjects and the Information Regulator as soon as reasonably possible; and
 - 7.1.2. Tyneside will comply with such directions as the Information Regulator may prescribe.

8. Disclosure of Information

- 8.1. Tyneside will not hold its Data Subjects' Information as its own and will make no claim to ownership thereof, unless a Data Subject agrees otherwise.

Managing Director: TAS O'Brien Director: JD Naysmith Director: DB Wilson-Harris

OFFICIAL DISTRIBUTION AGENTS FOR:



- 8.2. Tyneside will only disclose its Data Subjects' Information to those of its employees and officers who need to know for the purpose described in clause 3 above and will not disclose Information to any third party unless the consent of the applicable Data Subject to do so has been obtained.
- 8.3. Notwithstanding the provisions of clause 3.3 of this Policy, Tyneside may disclose its Data Subjects' Information without first obtaining consent:
 - 8.3.1. if Tyneside deems it appropriate to disclose that Information to an Operator for the purpose in clause 3 of this Policy; and/or
 - 8.3.2. if Tyneside is required by any applicable law or any applicable regulator to disclose that Information.

9. Information Quality

- 9.1. Tyneside is required to take reasonably practicable steps to ensure that the Information of its Data Subjects that it Processes is complete, accurate, not misleading and updated where necessary.
- 9.2. Tyneside will accordingly ask its Data Subjects to verify the completeness and accuracy of the Information provided by them from time to time.

10. Data Subject Participation and Rights in and to its Information

- 10.1. Each Data Subject, after having provided adequate proof of identity to Tyneside, has the right to:
 - 10.1.1. request that Tyneside confirms, free of charge, whether or not it holds Information about that Data Subject;
 - 10.1.2. request the record of or a description of the Information that Tyneside holds about that Data Subject;
 - 10.1.3. request that Tyneside correct or delete any Information in its possession or under its control about the Data Subject that is inaccurate, irrelevant, excessive, out of date, incomplete or misleading, or to destroy or delete a record of any Information about it that the Tyneside is no longer authorised to retain; and
 - 10.1.4. withdraw its consent for Tyneside to Process its Information at any time, but the withdrawal of consent will not affect:
 - 10.1.4.1. the Processing of its Information before the withdrawal of consent; nor
 - 10.1.4.2. the Processing of any of its Information that is required by Tyneside to comply with law and/or finalise the performance of any agreement that it has entered into with the Data Subject concerned.
- 10.2. Should any Data Subject wish to exercise any of the rights referred to above, it can do so by contacting the Information Officer who can be contacted in the manner described in clause 11 of this Policy, and the Information Officer will give effect to the Data Subject's request or withdrawal.

11. Information Officer

- 11.1. Tyneside will appoint an Information Officer.
- 11.2. The name and contact details of the Information Officer can be obtained by visiting Tyneside's website at www.tyneside.co.za / www.chartsinternational.co.za , or by sending an email to the following email address: sales@tyneside.co.za
- 11.3. The Information Officer will be responsible for, inter alia:
 - 11.3.1. ensuring that Tyneside Processes the Information of its Data Subjects in a lawful and reasonable manner that does not unreasonably infringe its Data Subjects' right to privacy;
 - 11.3.2. providing regular training and support to the employees and officers of Tyneside who have access to or Process Information, so that they can do so lawfully and in terms of this Policy;
 - 11.3.3. creating awareness about the provisions of this Policy, including by way of the mechanisms contemplated in clause 5 of this Policy; and
 - 11.3.4. ensuring that it applies due diligence in the monitoring of developments in relation to the law pertaining to protection of Information, and in amending and/or updating Tyneside's approach to such protection, including by way of updating and/or amending this Policy.
- 11.4. The Information Officer will be trained appropriately to give effect to this Policy, and will address any reasonable queries or concerns that any Data Subjects may have regarding this Policy or the Processing of their Information as contemplated in it.

Managing Director: TAS O'Brien Director: JD Naysmith Director: DB Wilson-Harris

OFFICIAL DISTRIBUTION AGENTS FOR:



12. Information Regulator

In the event that any of Tyneside's Data Subjects has any queries or concerns that cannot be addressed by the Information Officer, the Data Subject has the right to contact the Information Regulator. The Information Regulator's details are as follows:

- Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- Postal address: PO Box 31533, Braamfontein, Johannesburg, 2017
- Email address: POPIAComplaints@inforegulator.org.za

13. Status of Policy

This Policy has been adopted by and will apply to The Tyneside Nautical Charts and Publications (PTY) Ltd, and its subsidiary, Charts International.

14. Amendments

Tyneside may alter or amend this Policy or any part thereof at any time. Tyneside will use reasonable endeavours not to change this Policy too often, and to bring to its Data Subjects' attention any material changes to it, but its Data Subjects will be required to ensure that they keep up to date with the latest version of the Policy that is available on Tyneside's website and at Tyneside's principal place of business.

Managing Director: TAS O'Brien Director: JD Naysmith Director: DB Wilson-Harris

OFFICIAL DISTRIBUTION AGENTS FOR:

