HARDIE PROPERTY: Internal Data Protection Policy

HARDIE PROPERTY is committed to compliance with the Protection of Personal Information Act 4 of 2013 and this policy sets out its internal procedures in respect thereof.

Last updated	September 2024

Definitions

Data Subject	Living natural persons and existing juristic persons whose personal information is processed by **HARDIE PROPERTY**, including customers, clients employees and third party service providers
Guideline for Best Practice	Best practice procedures regarding the processing of personal information in **HARDIE PROPERTY** as contained in **paragraph 10** hereof
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- (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 or 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;
POPIA	means the Protection of Personal Information Act 4 of 2013
Process/ 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; or (c) merging, linking, as well as restriction, degradation, erasure or destruction of information;
Responsible Party	**HARDIE PROPERTY**
Information Officer	means the duly appointed Information Officer for **HARDIE PROPERTY**

A: Data protection principles

This policy must be read and interpreted in conjunction with the Data Privacy Notice.

1. Lawful processing

HARDIE PROPERTY is committed to processing data in accordance with its responsibilities under the POPIA.

As the POPIA requires that personal information of data subjects (including clients, customers, employees and third party service providers) may only be processed in terms of the conditions for lawful processing as stipulated in the POPIA, personal information processed by **HARDIE PROPERTY** shall be:

1.1 **processed lawfully, fairly and in a transparent manner** in relation to individuals and other entities;

1.2 **collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes**. Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;

1.3 **adequate, relevant and limited** to what is necessary in relation to the purposes for which it is processed;

1.4 **accurate and, where necessary, kept up to date**. Every reasonable step must be taken to ensure that personal information which is inaccurate, having regard to the purposes for which they are processed, is safely deleted or rectified without delay;

1.5 kept in a form which **permits identification of data subjects for no longer than is necessary** for the purposes for which the personal data are processed. Personal information may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, always however ensuring that the rights and interests of the data subjects are protected; and

1.6 processed in a manner that ensures **appropriate security** of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

2. General provisions

2.1 This policy applies to all personal information of data subjects processed by **HARDIE PROPERTY**.

2.2 An Information Officer shall be duly appointed and registered with the Information Regulator.

2.3 The Information Officer shall be responsible for **HARDIE PROPERTY**'s ongoing compliance with this policy.

2.4 This policy shall be reviewed regularly, and at least annually.

3. Lawful, fair and transparent processing

3.1 To ensure its processing of personal information is lawful, fair and transparent, **HARDIE PROPERTY** shall implement and ensure compliance with the provisions of the **Guideline for Best Practice**, which forms part of this policy and is contained in paragraph 10 hereof.

3.2 The Guideline for Best Practice shall be reviewed annually and shall otherwise be updated continuously, to serve as also as an ongoing risk assessment for **HARDIE PROPERTY** in respect of the procedures applied with regards to data processing.

3.3 Data subjects have the right to access their personal data and any such requests made to the business shall be dealt with in a timely manner and in accordance with the **HARDIE PROPERTY** Privacy Notice, which is available on hardieproperty.com.

4. Lawful purposes

4.1 All data processed must be done on one of the following lawful bases:

4.1.1 consent from the data subject;

4.1.2 in terms of a contract in which the data subject is a party;

4.1.3 in the exercise of a legal obligation;

4.1.4 for the furtherance of a legitimate interest of the data subject or of the business; or

4.1.5 for a public law duty.

4.2 **HARDIE PROPERTY** shall record the appropriate lawful basis in the documentation regulating the client relationship.

4.3 Where electronic direct marketing activities are performed by **HARDIE PROPERTY** in respect of data subjects:

4.3.1 that are not customers, consent is relied upon as a lawful basis for processing data. Evidence of opt-in consent shall be kept with the personal data. Where electronic communications are sent to individuals based on their consent, the option for the individual to revoke their consent shall be clearly available and systems should be in place to ensure such revocation is reflected accurately in the business' systems.

4.3.2 that are customers, consent is not required. However, the option for the individual recipient to revoke their consent shall be clearly available and systems should be in place to ensure such revocation is reflected accurately in **HARDIE PROPERTY's** systems.

5. Data collection minimisation

5.1 **HARDIE PROPERTY** shall ensure that private information is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

5.2 In collecting and storing data, **HARDIE PROPERTY** will collect only such data as it reasonably requires for purposes of completing the contract in terms of which it was instructed.

5.3 The details of the data collected shall be aligned to the Guideline for Best Practice contained in paragraph 10 hereof.

6. Accuracy

6.1 **HARDIE PROPERTY** shall take reasonable steps to ensure personal data is accurate.

6.2 Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

6.3 As a general rule, the data shall be obtained from the data subject and only where it is certain that the interests of the data subject will not be prejudiced, will other means be applied to verify the accuracy of the data.

7. Archiving / removal

7.1 To ensure that personal information is not kept for longer than necessary, **HARDIE PROPERTY** shall ensure that files are retained for the period stipulated in the Guideline for Best Practice.

7.2 The archive provisions shall consider what data should/must be retained, for how long, and why.

8. Security

8.1 **HARDIE PROPERTY** shall ensure that personal data is stored securely using software that is kept up-to-date. At present, Eset security is used to ensure the electronic data systems are secured.

8.2 Access to personal data of employees, clients and third parties shall be limited to personnel who need access and appropriate security is in place to avoid unauthorised sharing of information, as set out in the Guideline for Best Practice.

8.3 When personal data is deleted this shall be done safely so that the data is irrecoverable.

8.4 Appropriate back-up and disaster recovery solutions shall be in place. All documents are saved in the Hardie Property Drive.

9. Breach or data compromise

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Information Officer shall promptly assess the risk to the data subject's rights and advise both the Information Regulator and the data subject, if possible and as required after assessment of the incident.

B:

10. Guideline for Best Practice

In line with the principles set out above, **HARDIE PROPERTY** shall:

10.1 Collection and sharing of data

10.1.1 Collect only data from data subjects that is necessary for purposes of their operations.

10.1.2 **In respect of customers, clients and third parties**, the following may be collected: name, surname, identity numbers, email address, landline and cell phone numbers, postal address and physical address; banking details. In respect of entities, the information collected is generally limited to names, email, physical and business addresses, VAT number and business registration number (in the case of an entity).

10.1.3 **In respect of employees**, additional information may be collected and the employment agreement with employees shall record that the employee furnish consent for such processing. These include information about the employee or applicant's occupational health and safety, recruitment and training and for general compliance with applicable law, trade union membership, health or biometric information; details of next of kin and medical aid for the use in the event of an emergency; previous employment records; criminal

records; bank details.

10.2 Security

(The below is general as guideline: please advise what your processes are and safeguards, and we can adapt as necessary.)

10.2.1 **Access to physical files in which the data is stored** is reserved for those staff members who require access to perform their functions. Files are kept electronically on the computer network, which is dealt with in 10.2.2 below. Once hard copy documents are scanned, the hard copies are shredded. All staff and employees are made aware of the fact that the files contain private information of data subjects and may only be accessed for business purposes, and on the instruction and permission of the operations manager, and as approved by the Information Officer.

10.2.2 **Access to electronic files** is similarly reserved for those appointed by the operations manager to do so, and under supervision of the Information Officer. Access is controlled by way of confidential passwords. The holders of passwords may not share the password with any other person whatsoever, unless obliged to do so by the Information Officer.

10.2.3 **Access to the electronic system** is secured by the IT service providers. **HARDIE PROPERTY** has entered into an agreement with that service provider in terms of which they undertake to do what is reasonably necessary to secure the system.

10.2.4 The premises are locked after working hours.

10.2.5 Access is only granted to staff/employees for purposes of their performance of their employment duties during office hours. Any other access to third parties during working hours or to staff/employees/third parties after hours, shall take place on permission being obtained from the Information officer.

10.2.6 The Information Officer **may monitor emails** sent from **HARDIE PROPERTY** email address to ensure the quality of communications as well as to detect possible unauthorised use of the email system.

10.2.7 As far as reasonably practicable, no personal information of data subjects should be saved on laptops or hand-held devices that leave the offices of the estate management. Should permission be granted for personal information to be saved on such device, then the

following shall apply:

- the device must be access protected with a password, fingerprint or retina scan, with the password being of reasonable complexity and changed frequently;
- when the electronical personal information is no longer required, it must be deleted from the individual laptop, flash drive (or other storage device), computer and the relevant database. The employee must ensure that the information has been completely deleted and is not recoverable.
- any loss or theft of computers, laptops, flash drives or other devices which may contain personal information of data subjects must be immediately reported to the Information Officer, who shall notify the IT support person/service provider, who shall take all necessary steps to remotely delete the information, as far as possible.

10.3 Incident response

10.3.1 Should there for any reason arise a reasonable suspicion that the records of the business had been breached or unlawfully accessed, the relevant employee or other person shall communicate this with the Information Officer as soon as is possible.

10.3.2 the Information Officer shall in turn investigate the incident as soon as possible and shall advise the data subject concerned as well as with the Information Regulator, as provided for in clause 9 hereof, if necessary.

10.4 Data subject access to information

10.4.1 Data subjects shall have the right to access to their data held by the business, as provided for in the Privacy Policy and the PAIA Manual of **HARDIE PROPERTY.**

10.4.2 Data subject may request changes to the details held, and the Information Officer shall assess the request and assist the relevant enquirer, as provided for in POPIA.

10.5 Risk Assessment

10.5.1 The Information Officer shall ensure that a risk assessment of the management functions is performed, from time to time and at least once a year, to ascertain its exposure to the risk of a data breach and implement necessary provisions as may be required.

10.6 Archiving and deletion

10.6.1 When any resident, owner, tenant leaves the estate permanently, all records pertaining to such data subject are destroyed in terms of the destruction provisions contained herein. This applies to both physical and electronic records.
