

CQ FREIGHT LOGISTICS SOLUTIONS (PTY) LTD  
PAIA AND POPIA MANUAL

Registration number 2016/419910/07

In terms of Section 51 of the  
Promotion of Access to Information Act No 2 of 2000

As amended (PAIA)

And Section 55 of the Protection of Personal Information Act  
No.2 of 2013

As amended (POPI Act)

Updated July 2021

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## 1. INTRODUCTION

CQ Freight Logistics Solutions (Pty) Ltd is a road haulage company who transports goods by road ranging from Ceramic tiles, Sanitaryware, Food, Timber, Waste etc across South Africa, but mostly focusing on Eastern Cape, Limpopo, and Mpumalanga. The company has experience and expertise and the ability to adapt to the needs of South Africa.

## 2. PARTICULARS IN TERMS OF SECTION 51

### 2.1 CONTACT DETAILS

Name of the Company:	CQ Freight Logistics Solutions (Pty) Ltd
Registration number:	2016/419910/07
Postal Address:	P.O Box 166, Park South, 1910
Physical Address:	No 5 Daimler Street, NW7, Vanderbijlpark, 1911
Telephone number:	(016) 100-1603
Website:	<a href="http://www.cqfreight.co.za">www.cqfreight.co.za</a>
Director:	Clarens Quinten Pretorius
Information Manager:	Christine van den Heever
Email address:	<a href="mailto:christine@cqfreight.co.za">christine@cqfreight.co.za</a>

### 2.2 SECTION 10 GUIDE

The South African Human Rights Commission (SAHRC) published a “Guide on how to use the Promotion of Access to Information Act 2 of 2000” which is available on the SAHRC website [www.sahrc.org.za](http://www.sahrc.org.za). Queries can be directed to:

The South African Human Rights Commission  
 PAIA Unit – The Research and Document Department  
 Postal Address: P.O Box 166, Park South, 1910  
 Telephone Number: +27 11 877 3600  
 Fax Number: +27 11 484 7146  
 Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
 Email Address: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

## 2.3 OTHER LEGISLATION RECORDS

Records (as amended) that are available in terms of other legislation are as follows:

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No 61 of 1973
- Compensation for Occupational Injuries and Health Disease Act No. 130 of 1993
- Copyright Act No. 98 of 1978
- Credit Agreements Act No. 75 of 1980
- Currency and Exchanges Act No. 9 of 1933
- Debtor Collectors Act No. 114 of 1998
- Employment Equity Act No.55 of 1998
- Council for Built Environment Act No. 43 of 2000
- Mine Health and Safety Act No. 29 of 1996
- Finance Act No. 35 of 2000
- Income Tax Act No. 95 of 1967
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Pension Funds Act No. 24 of 1956
- Regional Services Council Act No. 109 of 1985
- Skills Development Levies Act No.9 of 1999
- Skills Development Act No. 97 of 1998
- Stamp Duties Act No.77 of 1968
- Tax on Retirement Funds Act No. 38 of 1996
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

## 3. OBJECTIVE OF THIS STATEMENT

3.1 We, CQ Freight Logistic Solutions (Pty) Ltd, in our capacity as a Responsible party, in order to engage with you, will have to process your Personal Information, in doing so, will have to comply with a law known as the Protection of Personal Information Act, 2013 ("POPIA"), which regulates and controls the processing of a person's Personal Information in South Africa, which processing includes the collection, use, and transfer of a person's Personal Information.

3.2 For this Processing Notice, please take note of the following words and phrases which will be used throughout this Processing Notice:

3.2.1 "consent "means the consent, which you give to us to process your Personal Information. This consent must be voluntary, specific, and informed. Following this, once we have explained to you why we need your Personal Information and what we will be doing with it, you are then, in relation to certain uses of the information, required to give us your permission to use it, which permission or consent can be express or implied; implied meaning that consent may be demonstrated by way of your actions;

- 3.2.2 “Data Subject” means you, the person who owns and who will provide us with your Personal information for processing, which reference is found under POPIA;
- 3.2.3 “Operator” means any person who processes your Personal Information on your behalf as a sub-contractor, in terms of the contract or mandate, without coming under the direct authority of us. These persons for illustration purposes may include verification agencies, advertising, and public relations agencies, call centres, service providers, auditors, legal practitioners, organs of state, government, provincial and municipal bodies;
- 3.2.4 “Personal Information” means Personal information relating to any identifiable, living, natural person, and an identifiable, existing juristic person, including, but not limited to:
  - a) Your name, address, contact details, date of birth, place of birth, identity number, passport number, bank details, details about your employment, tax number and financial information;
  - b) Vehicle registration;
  - c) Dietary preferences;
  - d) Financial history;
  - e) Information about your next of kin and or dependents;
  - f) Information relating to your education and employment history; and
  - g) Special Personal Information including race, gender, pregnancy, national, ethnic, or social origin, colour, physical or mental health, disability, criminal history, including offences committed or alleged to have been committed, membership or a trade union and biometric information, such as images, fingerprints and voiceprints, blood typing, DNA analysis, retinal scanning, and voice recognition;
- 3.2.5 “processing”/ “process” or “processed”, means in relation to Personal Information, the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; dissemination by means of transmission, distribution or making available in any other form; merging, linking, as well as restriction, degradation, erasure or destruction of information or sharing with, transfer and further processing, including physical, manual and automatic means. This is a wide definition and therefore includes all types of usage of your Personal Information by us including the initial processing when we first collect your Personal Information and any further ongoing processing;
- 3.2.6 “Purpose” means the reason why your Personal information needs to be processed by us;
- 3.2.7 “Responsible Party”, means us, the person who is processing your Personal Information;
- 3.2.8 “You” means you, the Data Subject under POPIA, who will be providing us, the Responsible Party with your Personal Information, for processing.

3.3 In terms of POPIA, where a person processes another’s Personal Information, such processing must be done in a lawful, legitimate, and responsible manner and in accordance with the provisions, principles and conditions set out under POPIA.

3.4 To comply with POPIA, a person processing another’s Personal Information must:

- 3.4.1 provide the Data Subject or owner of the Personal Information with several details pertaining to the processing of the Personal Information, before such information is processed; and
- 3.4.2 get permission and consent, explicitly or implied, from the owner / Data Subject, to process the Personal Information, unless such processing:
  - a) is necessary to carry out actions for the **conclusion or performance of a contract** to which the owner / Data Subject of the Personal Information is the party;
  - b) is required to comply with an **obligation imposed by law**; or
  - c) is for a **legitimate purpose or necessary to protect the legitimate interest (s) and / or for pursuing the legitimate interests** of i) the owner / Data Subject or the Personal Information; ii) the person processing the Personal Information; or iii) that of a third party to whom the Personal Information is supplied; or
  - d) is necessary for the proper performance of a **public law duty** by a public body or on behalf of a public body.

3.5 In accordance with the requirements of POPIA, and because your privacy and trust are important to us, we set out below how we, CQ Freight Logistics Solutions (Pty) Ltd collect, use, and share your Personal Information and the reasons why we need to use and process your Personal Information.

#### 4. APPLICATION AND RESPONSIBILITIES

4.1 This Privacy Statement applies to the following persons:

- 4.1.1 **Interactors:** persons who interact with us, physically or via email or via our websites, applications, mobile applications, or social media portals or platforms, or who come to our sites and / or who enters our offices or facilities
- 4.1.2 **Users of our Sites:** persons who use our websites, applications, mobile applications, or social media portals or platforms whether to find out more about us, to make enquiries about us, or our products or services or where persons want to do business with us be it providing or selling to us or receiving or buying from us, certain goods, and services, etc;
- 4.1.3 **Applicants:** persons who wish to apply for a bursary, funding, enterprise/supplier development opportunity or a sponsorship from us;
- 4.1.4 **Customers and Clients:** persons who are desirous of, or who do use and or purchase our products or services, who receive marketing communications and / or who communicate with us physically or via email or via our websites, applications, mobile applications, or social media portals or platforms, and / or who come onto our sites, facilities and / or who enter our offices;
- 4.1.5 **Contractors, Vendors and Service Providers:** persons who are desirous of, or who do provide us with goods, and services, or who we provide goods and services to, including consultancy and infrastructure related services and who we interact and communicate with, either physically or via email or via our websites, applications, mobile applications, or social media portals or platforms, and / or who come onto our sites, facilities and / or who enters our offices;
- 4.1.6 **Regulators and Public Bodies:** persons who we engage with to discharge legal and public duty obligations, including SARS, National Treasury, Department of Labour, etc;

- 4.1.7 **Business Partners:** whether in their capacity as operators or not, who provide services, goods and other benefits to us, our employees or to our customers, clients, and service providers, such as medical aids, pension and provident funds, administrators, financial service providers, advertising and marketing or PR agencies, wellness or health and medical providers.

## 5. PURPOSE FOR PROCESSING YOUR PERSONAL INFORMATION

5.1 Your personal information will be processed by us for the following purposes:

- 5.1.1 **Due diligence purposes – legitimate purpose:** to carry out a due diligence before we decide to engage or interact with you or to do business with you, including obtaining and verifying your credentials, including your business details, medical status, health history and related records, education and employment history and qualifications, credit and financial status and history, tax status, B-BBEE status, and or any performance or vendor related history;
- 5.1.2 **Contract Purposes – assessment and conclusion of a contract:** to investigate whether we are able or willing to conclude a contract with you based on the findings of due diligence detailed above, and if the assessment is in order, to conclude a contract with you;
- 5.1.3 **To process transactions and render or provide or receive goods and services – conclusion of a contract:** to perform under any contract which has been concluded with you, including carrying out all contractual obligations, exercising all contractual rights, assessing or communicating requirements, manufacturing, packaging, ordering, delivering, and / or responding to, or submitting queries, complaints, returns or engaging in general feedback, or acting as such a manner as to personalize any goods and services, and to make recommendations related to us or our or your operations;
- 5.1.4 **Attending to financial matters pertaining to any transaction – conclusion of contract:** to administer accounts or profiles related to you or your organization including registrations, subscriptions, purchases, billing events, fees, costs and charges calculations, quoting, invoicing, receipt of payments or payment of refunds, reconciliations, and financial management in general;
- 5.1.5 **Communications- legitimate purpose:** to contact you and to communicate with you generally or in respect of our or your requirements, or instructions;
- 5.1.6 **Risk assessment and anti-bribery and corruption matters – legitimate purpose:** to carry out vendor, organizational and enterprise wide risk assessments, in order to detect and prevent bribery, corruption, fraud and abuse, to comply with all applicable laws, as well as to identify and authenticate your access to and to provide you with access to our goods, services or premises and generally to ensure the security and protection of all persons including employees, and persons when entering or leaving our sites and operations or facilities and / or to exercise our rights and to protect our and other's rights and / or property, including taking action against those that seek to violate or abuse our systems, services, customers or employees and / or other third parties where applicable;
- 5.1.7 **Legal obligation and public duties:** to comply with the law and our legal obligations, including to register with Regulators, obtain and hold permits and certificates, register for VAT, Tax, PAYE, SDL, COIDA and UIF etc. and to submit

reports or provide various notices or returns, to litigate and / or to respond to a request or order from a SAP official, investigator or court official, regulator, or public authority;

- 5.1.8 **Security purposes: legitimate purpose and to comply with laws:** to permit you access to our offices, facilities, manufacturing, and parking areas, as well as to controlled areas, for the purposes of monitoring via CCTV, our interaction and access in and from our facilities described above, and for general risk management, security, and emergency incident control purposes as well as for data and cybersecurity purposes;
- 5.1.9 **Internal research and development purposes – consent required:** to conduct internal research and development for new content, products, and services, and to improve, test, and enhance the features and functions of our current goods and service;
- 5.1.10 **Sale, merger, acquisition, or other disposition** of our business (including in connection with bankruptcy or similar proceedings) – **our Legitimate interest** – to proceed with any proposed or actual **sale, merger, acquisition, or other disposition** of our business (including in connection with any bankruptcy or similar proceedings);
- 5.1.11 **Marketing and electronic communications related thereto – consent required:** to provide you with communications regarding us, our goods, and services and/or other notifications, programs, events, or updates that you may have registered for, and to send you offers, advertising, and marketing materials, including providing personalized advertising to you, save where you have opted out of this activity;
- 5.1.12 **Events, advertising and public relations materials and publications:** for the purposes of making contact with you and or attending to our enquiries and requests in relation to our advertising and public relations materials and publications and or events and functions and for providing you from time to time with information pertaining to CQ Freight Logistics Solutions (Pty) Ltd or its subsidiary businesses advertising and public relations materials and publications, and or events and functions and to invite you to attend functions and events or our request for your appearance in advertising and public relation materials and publications.

## 6. WHAT PERSONAL INFORMATION OR INFORMATION DO WE COLLECT FROM YOU?

6.1 To engage and / or interact with you, for the purposes described above, we will have to process certain types of your personal information, as described below:

- 6.1.1 **Your or your employer or organization’s contact information,** such as name, alias, address, identity number, passport number, security number, phone number, cell phone number, vehicle make and registration number, social media user ID, email address, and similar contact data, serial numbers of equipment, details regards the possession of dangerous weapons, and other contact information including details of your employer, memberships or affiliations, such as the name of your employer or organization, your status with the organization, and similar data, which are required for various legitimate interest, contractual and / or lawful reasons;



- 6.1.2 **Specific identifiers**, which are required in order to protect legitimate interests, comply with legal obligations or public legal duties, or in order to accommodate you in your workplaces, such as your race (B-BBEE related), religion (correct and fair treatment related), sexual and medical history including medical conditions (to comply with laws and related to correct and fair treatment issues), trade union matters (to comply with laws and related to correct and fair treatment issues), and financial, credit, deviant and criminal history (to protect our legitimate interests and to perform risk assessments), as well as children's details (benefits related);
- 6.1.3 **Account Information**, including banking details, security related information (including usernames, and passwords, authentication methods, and roles), service-related information (including purchase history and account profiles), billing-related information (including payment, shipping, and billing information), and similar data, all which are required to perform contractual matters and / or to provide you access to services;
- 6.1.4 **User Content**, such as content of communications, suggestions, questions, comments, feedback, and other information you send to us, that you provide to us when you contact us, or that you post on our websites, applications, mobile applications, or social media portals or platforms including information alerts, folders, notes, and shares of content), and similar data which are required to perform contractual matters and / or in order to provide you access to services or attend to queries;
- 6.1.5 **Device & Browser Information**, such as network and connection information (including Internet Service Provider (ISP) and Internet Protocol (IP) addresses), device and browser identifiers and information (including device, application, or browser type, version, plug-in type and version, operating system, user agent, language and time zone settings, and other technical information), advertising identifiers, cookie identifiers and information, and similar data, which are required to perform contractual matters and / or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place;
- 6.1.6 **Usage Information and Browsing History**, such as usage metrics (including usage rates, occurrences of technical errors, diagnostic reports, settings preferences, backup information, API calls, and other logs), content interactions (including searches, views, downloads, prints, shares, streams, and display and playback details), and user journey history (including clickstreams and page navigation, URL's, timestamps, content viewed or searched for, page response times, page interaction information (such as scrolling, clicks and mouse-overs and download errors), advertising interactions (including when and how you interact with marketing and advertising materials, click rates, purchases or next steps you make after seeing an advertisement, and marketing preferences), and similar data which are required to perform contractual matters and / or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place;
- 6.1.7 **Location Data**, such as the location of your device, your household, and similar location data, which are required to perform contractual matters and / or to provide you access to services or attend to queries or to ensure that security safeguards are in place;

- 6.1.8 **Demographic Information**, such as country, preferred language, age and date of birth, marital status, gender, physical characteristics, personal or household/familial financial status and metrics, military status, and similar data, which are required to perform contractual matters and / or to provide you access to services or attend to queries or to ensure that security safeguards are in place;
- 6.1.9 **Your image**, such as still pictures, video, voice, and other similar data, which are required to perform contractual matters and / or to provide you access to services or attend to queries or to ensure that security safeguards are in place;
- 6.1.10 **Identity Information**, such as government issued identification information, tax identifiers, social security numbers, other government issued identifiers, and similar data which are required to comply with laws and public duties;
- 6.1.11 **Financial Information**, such as billing address, credit card information, billing contact details, and similar data, tax numbers and VAT numbers, which are required to perform contractual matters and / or to provide you access to services or attend to queries or to ensure that security safeguards are in place and / or which are required to comply with laws and public duties;
- 6.1.12 **Career, Education and Employment Related Information**, such as job preferences or interests, work performance and history, salary history, status as a veteran, nationality and immigration status, demographic data, disability related information, application information, professional licensure information and related compliance activities, accreditations and other accolades, education history (including schools attended, academic degrees or areas of study, academic performance, and rankings), and similar data, which are required for contractual or employment related matters or which are required to comply with laws and public duties;
- 6.1.13 **Health Records** such as medical status and history, examinations, blood type, medical aid history, disability related information, biometrics, medicals, psychometrics, and similar data, which are required for contractual or employment matters or which are required to comply with laws and public duties;
- 6.1.14 **Social Media and Online Content**, such as information placed or posted in social media and online profiles, online posts, and similar data, which are required to perform contractual matters and / or to provide you access to services or attend to queries and generally for the purposes of advertising, marketing, and related communications.

## 7. SOURCES OF INFORMATION – HOW AND WHERE DO WE COLLECT YOUR PERSONAL INFORMATION FROM?

7.1 Depending on your requirements, we will collect and obtain personal information about you either directly from you, from certain third parties (such as your employer or regulators), or from other sources which are described below:

7.1.1 **Direct Collection:** you provide personal information to us when you:

- a) Use our websites, applications, mobile applications, or social media portals or platforms;
- b) Interact with us;
- c) Enquire about, or search for our goods or services;
- d) Create or maintain a profile or account with us;

- e) Conclude a contract with us;
- f) Purchase or subscribe to our goods or services;
- g) Use our goods or services;
- h) Purchase, use, or otherwise interact with content, products, or services from third party providers who have a relationship with us;
- i) Create, post, or submit user content on our websites, applications, mobile applications, or social media portals or platforms;
- j) Register for or attend one or our events, functions or locations;
- k) Request or sign up for information, including marketing material;
- l) Communicate with us by phone, email, chat, in person, or otherwise;
- m) Complete a questionnaire, survey, support ticket, or other information request form;
- n) When you submit a quotation, or offer to do business with us, a tender or when you conclude a contract with us;
- o) Express an interest in a bursary or sponsorship.

**7.1.2 Automatic Collection:** We collect personal information automatically from you when you:

- a) Search for, visit, interact with, or use our websites, applications, mobile applications, or social media portals or platforms;
- b) Use goods or services (including through a device);
- c) Access, use, or download content from us;
- d) Open emails or click on links in emails or advertisements from us;
- e) Otherwise interact or communicate with us (such as when you attend one of our events, functions, or locations, when you request support or send us information, or when you mention or post to our social media accounts).

**7.1.3 Collection from third parties:** We collect personal information about you from third parties, such as:

- a) Your organization and others with whom you have a relationship with that provide or publish personal information related to you, such as from our customers or from other when they create, post, or submit user content that may include your personal information;
- b) Regulators, professional or industry organizations and certification / licensure agencies that provide or publish personal information related to you;
- c) Third parties and affiliates who deal with or interact with us or you;
- d) Service providers and business partners who work with us and that we may utilize to deliver certain content, products, or services or to enhance your experience;
- e) Marketing, sales generation, and recruiting business partners;
- f) SAP, Home Affairs, Credit bureaus and other similar agencies;
- g) Government agencies, regulators and others who release or publish public records;
- h) Other publicly or generally available sources, such as social media sites, public and online websites, open databases, and data in the public domain.

## 8. HOW WE SHARE YOUR INFORMATION

**8.1.1** We share personal information for the purposes as set out in this Privacy Statement and with **the following categories of recipients:**

**8.1.2 CQ Freight Logistics Solutions and our employees.** We may share your personal information amongst our employees and the companies within CQ Freight Logistics Solutions for business and operational purposes.

- 8.1.3 **Your Organization and Contacts.** We may share your personal information with your organization and other with whom you have a relationship to fulfil or to perform a contract or legal obligation, including with third parties that arrange and provides you with access to our goods and services and who pay us in connection with such access. We may also share your personal information with your contacts if you are in the same organization or to facilitate the exchange of information between you and the contact(s);
- 8.1.4 **Business Partners.** We may share your personal information with our business partners to jointly offer, provide, deliver, analyse, administer, improve, and personalise products or services or to host events and functions. We may also pass certain requests from you or your organisation to these business providers;
- 8.1.5 **Third Party Content Providers.** We may share your personal information with our third-party content providers to perform tasks on our behalf and to assist us in providing, delivering, analysing, administering, improving, and personalising content related to our relationship with you, including financial, benefits, health and medical, and wellness benefits etc and may to this end pass certain requests from you or your organization to these providers;
- 8.1.6 **Third Party Service Providers.** We may share your personal information with our third-party service providers to perform tasks on our behalf and which are related to our relationship with you, including financial, benefits, health and medical, and wellness benefits etc and to assist us in offering, providing, delivering, analysing, administering, improving, and personalising such services and products;
- 8.1.7 **Cyber Third-Party Service Providers.** We may share your personal information with our third-party cyber service providers to perform tasks on our behalf and which are related to our relationship with you, including those who provide technical and/or customer support on our behalf, who provide application or software development and quality assurance, who provide tracking and reporting functions, research on user demographics, interests, and behaviour, and other products or services. These third-party service providers may also collect personal information about or from you in performing their services and/or functions on our services. We may also pass certain requests from you or your organisation to these third-party service providers;
- 8.1.8 **Advertisers.** We may share your personal information with advertisers, advertising exchanges, and marketing agencies that we engage for advertising services, to deliver advertising, and to assist us in advertising our brand and products and services. Those advertising services may also target advertisement on third party websites based on cookies or other information indicating previous interaction with us and/or ourselves;
- 8.1.9 **Users.** We aggregate information from public records, phone books, social networks, marketing surveys, business websites, and other sources made available to us to create listings and profiles that are placed into user listings and directories. Additionally, if you choose to include your personal information in any reviews, comments, or other posts you create, then that personal information may be displayed to other users as part of our posting;
- 8.1.10 **In the Event of Merger, Sale, Change of Control.** We may transfer this Privacy Statement and your personal information to a third-party entity that acquires or is merged with us as part of a merger, acquisition, sale, or other change of control (such as the result of a business rescue proceeding);

- 8.1.11 **Regulators and law enforcement agencies.** We may disclose our personal information to regulators and other bodies to comply with any applicable law or regulation, to comply with or respond to a legal process or law enforcement or governmental request;
- 8.1.12 **Other Disclosures.** We may disclose your personal information to third parties if we reasonably believe that disclosure of such information is helpful or reasonably necessary to enforce our terms and conditions or other rights (including investigations of potential violations of our rights), to detect, prevent, or address fraud or security issues, or to protect against harm to the rights, property, or safety of the group, our employees, any users, or the public.

## 9. SECURITY OF INFORMATION

- 9.1 The security of your Personal Information is important to us. Taking to account the nature, scope, context, and purposes of processing personal information, as well as the risks to individuals of varying likelihood and severity, we have implemented technical and organisational measures designed to protect the security of personal information. In this regard we will conduct regular audits regarding the safety and security of your Personal Information.
- 9.2 Your personal information will be stored electronically which information, for operational reasons, will be accessible to persons employed or contracted by us on a need-to-know basis, save that where appropriate, some of your Personal Information may be retained in hard copy.
- 9.3 Once your Personal Information is no longer required because the purpose for which the Personal Information was held has come to an end, such Personal Information will be retained in accordance with our applicable Group records retention schedules, which varies depending on the type of processing, the purpose for such processing, the business function, record classes, and record types. We calculate retention periods based upon and reserve the to retain Personal Information for the periods that the personal information is needed to:
- Fulfil the purposes described in this Privacy Statement;
  - Meet the timelines determined or recommended by regulators, professional bodies, associations;
  - Comply with applicable laws, legal holds, and other legal obligations (including contractual obligations), and;
  - Comply with your requests.

## 10. ACCESS BY OTHERS AND CROSS BORDER TRANSFER

10.1 We may from time to time have to disclose your Personal Information to other parties, including our holding company or subsidiaries, trading partners, agents, auditors, organs of state, regulatory bodies and / or national governmental, provincial, local government municipal officials, or overseas trading parties or agents, but such disclosure will always be subject to an agreement which will be concluded as between ourselves and the party to whom we are disclosing your Personal Information to, which contractually obliges the recipient of your Personal Information to comply with strict confidentiality and data security conditions.

10.2 Where Personal information and related data is transferred to a country which is situated outside South Africa, your Personal Information will only be transferred to these

countries which have similar data privacy laws in place or where the recipient of the Personal Information concludes an agreement which contractually obliges the recipient to comply with strict confidentiality and data security conditions and which in particular will be to a no lesser set of standards than those imposed by POPIA.

10.3 However, please note that no method of transmission over the Internet or method of electronic storage is 100% secure. Therefore, while we strive to use commercially acceptable measures designed to protect personal information, we cannot guarantee absolute security.

## **11. REQUEST FOR RECORDS PROCEDURE**

- The Requester must just the prescribed form (J752 Form C)(ANNEXURE A), which is available on the website of the South African Human Rights Commission website at [www.sahrc.org.za](http://www.sahrc.org.za) to make requests to access a record. This request must be made with the Information Officer of the company's email address.
- The Requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the Requester. The Requester should also indicate if any other manner is to be used to inform the Requester and state the necessary particulars to be so informed.
- The Requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the Requester must then submit proof of the capacity in which the Requester is making the request to the satisfaction of the Information Officer of the private body.
- Requests for information will be evaluated and the requester notified within 30 days upon receipt of the request in the prescribed format requested.
- Requesters should also note that this period may be extended for another 30 days under certain circumstances and the details thereof will be provided together with notification of the extension.
- Other forms that are needed and accessible on various websites are also attached hereto:
  - a) FORM 1 – Request for Consent to Receive Direct Marketing Material (ANNEXURE B)
  - b) Request for correction or deletion of Information – (ANNEXURE C)
  - c) FORM 3 – Objection to Processing of Personal Information (ANNEXURE D)

## **12. FEES**

A Requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other Requester, who is a personal requester, must pay the required request fee:

- The Information Officer or the private body must notify the Requester (other than the personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The fee that the Requester must pay for requesting records from a public body is R 35 and for requesting records from a private body is R 50.
- It is important to note that people who are requesting access to their personal information are exempt from paying a fee. Also, people who earn less than R 14 712 per annum (if single) and R 27 192 per annum (if married or has a life partner) is also exempt of paying the fees.
- Requesters are also required to pay fees associated with the search for, preparation of and reproduction of documents.
- If the preparation of the record requires more than the prescribed six hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted;
- The Requestor may lodge an application with a court against the tender/payment of the request fee and/or the deposit;
- Records may be withheld until the fees have been paid.
- The fee structure is available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za)
- The current breakdown of fees, however, are as follows:

#### **Public Bodies**

1. Copy per A4 page – 0.60c
2. Printing per A4 page – 0.40c
3. Copy on CD – R40
4. Transcription of visual images per A4 page – R22
5. Copy of a visual image – R60
6. Transcription of and audio recording per A4 page – R12
7. Copy of an audio recording – R17
8. Search and preparation of the record for disclosure – R15 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
9. Actual Postage Fee

#### **Private Bodies**

1. Copy per A4 page – R1.10
2. Printing per A4 page – 0.75c
3. Copy on a CD – R70
4. Transcription of visual images per A4 page – R40
5. Copy of a visual image – R60
6. Transcription of an audio recording per A4 page – R20
7. Copy of an audio recording – R30
8. Search and preparation of the record for disclosure – R30 per hour or part thereof, excluding the first hour, reasonably required for search and preparation
9. Actual Postage Fee



- VAT is applicable for registered VAT vendors as required under section 23 of the Value Added Tax Act of 1991.
- Please note that the correct completion and submission of a Request for Access form does not automatically entitle or allow the requester access to the requested records. An application is subject to certain limitations if the request record falls within a category as specified in Section 23 (4)(a) of the POPIA read with Part 3 Chapter 4 of PAIA.
- Also note that if there is reasonable suspicion that a requester has obtained a record based on materially incorrect, false, or misleading information legal proceedings may be instituted against that requester.
- If the request for access was successful the requester's fees for the search, reproduction and preparation of the records will be calculated as per the PAIA fee structure as explained above.

### 13. YOUR RIGHTS

- 13.1.1 **The right of access.** You may ask us free of charge to confirm that we hold your personal information;
- 13.1.2 **The right to rectification.** You have the right to ask us to update or rectify any inaccurate personal information, which can be done by telephonic or email request;
- 13.1.3 **The right to erasure (the 'right to be forgotten')** where any overriding legal basis or legitimate reason to process Personal Information no longer exists, and the legal retention period has expired, you may request that we delete the personal information, which can be done by accessing the request for erasure request;
- 13.1.4 **The right to object to and restrict further processing.** Where we do not need your consent to process your personal information, but you are not in agreement with such processing, you object to us processing such Personal Information;
- 13.1.5 **The right to withdraw consent.** Where you have provided us with consent to process your personal information, you have the right to subsequently withdraw your consent;
- 13.1.6 **The right to data portability.** Where you want your Personal Information to be transferred to another party, which can be done under certain circumstances

### 14. CHANGES TO THIS PRIVACY STATEMENT

As CQ Freight Logistics Solutions changes over time, this Processing Notice is expected to change as well. We reserve the right to amend the Processing Notice at any time, for any reason, and without notice to you other than the posting of the updated Processing Notice on our website and in this regard encourage you to visit our website frequently to keep abreast with any changes.

### 15. CONTACT US

Any comments, questions or suggestions about this privacy notice or our handling of your Personal Information should be emailed to [christine@cqfreight.co.za](mailto:christine@cqfreight.co.za)



**16. PROCESSING PERSONAL INFORMATION**

12.1 If you process another's Personal Information, you will keep such information confidential and will not, unless authorised to do so, process, publish, make accessible, or use in any other way such Personal Information unless in the course and scope of your duties, and only for the purpose for which the information has been received and related to the duties assigned to you.

12.2 You will observe CQ Freight Logistics Solutions Data Protection Policy which sets out the rules and regulations regarding the processing and protection of Personal Information and/or data to which the Employee has access in the course and the scope of the Employee's duties and shall report any infringement relating to the way Personal Information or other data is processed to the Company without delay.

**17. COMPLAINTS**

13.1 Should you wish to discuss a complaint, please feel free to contact us using the details provided.

13.2 All complaints will be treated in a confidential manner.

Should you feel dissatisfied with our handling of your Personal Information, or about any complaint you have made to us, you are entitled to escalate your complaint to the South African Information Regulator who can be contacted at the Department of Justice and Constitutional Development at: <https://www.justice.gov.za/infoREG/>.

**18. ACCEPTANCE**

14.1 By providing us with the Personal Information which we require from you as listed under this Processing Notice:

14.1.1 You acknowledge that you understand why your Personal information needs to be processed;

14.1.2 You accept the terms which will apply to such processing, including the terms applicable to the transfer of such Personal Information cross border;

14.1.3 Where consent is required for any processing as reflected in this Processing notice, you agree that we may process this Personal Information.

14.2 You confirm that you have shared this Processing Notice with employees, contractors, and sub-contractors and have received from them the required consent to provide us with their respective Personal Information for processing as provided for and described under this Processing Notice, and where consent is required for any processing as reflected in this Processing notice, such persons have agreed that we may process this personal information.

14.3 Furthermore, should any of the Personal Information concern or pertain to a legal entity whom you represent, you confirm that 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 the required permissions in respect of the processing of the organisation's Personal Information.

