

## Fennec Flow (Pty) Ltd - PRIVACY & SECURITY POLICY

*Date last amended: 07 June 2021*

### IMPORTANT:

This important document explains how Fennec, each division, business unit, branch and/or representative will process your personal information, as well as any of Fennec's associates, cessionaries, delegates or successors in title or appointed third parties such as its authorised agents, advisors, partners and contractors.

Where we refer to "process", it means how we collect, use, store, make available, destroy, update, disclose, or otherwise deal with your personal information. As a general rule we will only process your personal information if this is required to deliver or offer a service, provide a product or carry out a transaction with you. We respect your privacy and will treat your personal information confidentially.

We may combine your personal information and use the combined personal information for any of the purposes stated in this Privacy Policy.

In this document any reference to "we" or "us" or "our" includes any one or more of the above businesses or entities.

Further, in this document any reference to "you" or "your" data will include the data of your client on whose behalf you are acting.

**VERY IMPORTANT:** If you use our services, goods, products and service channels you agree that we may process your or your clients personal information as explained under this Privacy Policy. Sometimes you may provide us with consent to process your personal information. Read it carefully because it may limit your rights.

**NOTE:** If Fennec processes personal information for another party under a contract or a mandate, the other party's privacy policy will apply to the processing. Fennec can change this Privacy Policy from time to time if the law or its business practices requires it. The version of the Privacy Policy displayed on our website will apply to your interactions with us.

### 1. WHAT IS PERSONAL INFORMATION?

Personal information refers to any information that identifies you or specifically relates to you. Personal information includes, but is not limited to, the following information about you:

- your marital status (like married, single, divorced);
- your national origin;
- your age;
- your language; birth; education;
- your financial history
- your identifying number (like an account number, identity number or passport number);
- your e-mail address; physical address (like residential address, work address or your physical location); telephone number;
- your online identifiers; social media profiles;
- your biometric information (like fingerprints, your signature or voice);
- your race; gender; sex; pregnancy; ethnic origin; social origin; colour; sexual orientation;
- your physical health; mental health; well-being; disability; religion; belief; conscience; culture;
- your medical history (like your HIV / AIDS status); criminal history; employment history;
- your personal views, preferences and opinions;
- your confidential correspondence; and / or
- another's views or opinions about you and your name also constitute your personal information. Personal information includes special personal information, as explained

#### WHEN WILL WE PROCESS YOUR PERSONAL INFORMATION?

We will only process your personal information for lawful purposes relating to our business if the following applies:

- if you have consented thereto;
- if a person legally authorised by you, the law or a court, has consented thereto;
- if it is necessary to conclude or perform under a contract we have with you;
- if the law requires or permits it;
- if it is required to protect or pursue your, our or a third party's legitimate interest; and / or
- if you are a child, a competent person (like a parent or guardian) has consented

#### 3. WHAT IS SPECIAL PERSONAL INFORMATION?

Special personal information is personal information about the following:

- your religious beliefs;
- your philosophical beliefs;
- your race;
- your ethnic origin;
- your trade union membership;

- your political beliefs;
- your health;
- your sex life;
- your biometric information; and / or
- your criminal behaviour and alleged commission of an offence (like to prevent money laundering as required by law).

#### 4. WHEN WILL WE PROCESS YOUR SPECIAL PERSONAL INFORMATION?

We may process your special personal information in the following circumstances:

- if you have consented to the processing;
- if the processing is needed to create, use or protect a right or obligation in law;
- if the processing is for statistical or research purposes and all legal conditions are met;
- if the special personal information was made public by you;
- if the processing is required by law;
- if racial information is processed, and the processing is required to identify

#### 5. WHEN AND HOW WE WILL PROCESS THE PERSONAL INFORMATION OF CHILDREN

A child is a person who is defined as a child by a country's legislation and who has not been recognised as an adult by the courts of a country. We process the personal information of children if the law permits. We will only process the personal information of children if any one or more of following applies:

- a person who can legally agree has consented to the processing, being a parent or guardian;
- the processing is needed to create, use or protect a right or obligation in law, like where the child is an heir in a will, a beneficiary of a trust, a beneficiary of an insurance policy or an insured person in terms of an insurance policy;
- the child's personal information was made public by the child, with the consent of a person who can legally agree;
- the processing is for statistical or research purposes and all legal conditions are met;
- where the child is an heir in a will, if required to give effect to the will;
- where the child is a beneficiary of a trust, if required to give effect to the trust deed;
- where the child is legally old enough to open a bank account without assistance from their parent or guardian;
- where the child is legally old enough to sign a document as a witness without assistance from their parent or guardian; and / or
- where the child benefits from a bank account like an investment or savings

#### 6. WHEN AND FROM WHERE WE OBTAIN PERSONAL INFORMATION ABOUT YOU

- We collect personal information from you
- We collect information about you based on your use of our products, services or service channels (like our Fennec Flow website).
- We collect information about you based on how you engage or interact with us such as on social media, emails, letters, telephone calls,
- We collect information about you from public sources (like newspapers) and from third parties we interact with for the purposes of conducting

If the law requires us to do so, we will ask for your consent before collecting personal information about you from third parties.

The third parties from whom we may collect your personal information include, but are not limited to, the following:

- Mercantile and Grindrod Bank or any other partner bank of Fennec's, any connected companies, subsidiary companies, its associates, cessionaries, delegates, assigns, affiliates or successors in title and / or appointed third parties (like its authorised agents, partners, contractors and suppliers) for any of the purposes identified in this Privacy Policy;
- your spouse, dependents, partners, employer and other similar sources;
- people you have authorised to share your personal information, like a person that makes a travel booking on your behalf or a medical practitioner for insurance purposes;
- payment processing services providers, merchants, banks and other persons that assist with the processing of your payment instructions;
- trustees, Executors or Curators appointed by a court of law;
- our service providers, agents and sub-contractors like couriers and other persons we use to offer and provide products and services to you;
- courts of law or tribunals;
- our joint venture partners; and / or
- marketing list

7. REASONS WE NEED TO PROCESS YOUR PERSONAL INFORMATION We will process your personal information for the following reasons:

- to provide you with products, goods and services;
- to market our products, goods and services to you;
- to respond to your enquiries and complaints;
- to comply with legislative, regulatory, risk and compliance requirements (including directives, sanctions and rules), voluntary and involuntary codes of conduct and industry agreements or to fulfil reporting requirements and information requests;
- to detect, prevent and report theft, fraud, money laundering and other crimes. This may include the processing of special personal information, like alleged criminal behaviour or like the supply of false, misleading or dishonest information when opening an account with us or avoiding liability by way of deception;

- to develop, test and improve products and services for you;
- for historical, statistical and research purposes, like market segmentation;
- to process payment instruments and payment instructions;
- to create, manufacture and print payment instruments and payment devices;
- to open, manage and maintain your accounts or relationship with us;
- to enable us to deliver goods, documents or notices to you;
- for security, identity verification and to check the accuracy of your personal information;
- to communicate with you and carry out your instructions and requests;
- for customer satisfaction surveys, promotional and other competitions;
- insurance and assurance underwriting and administration;
- to enable you to take part in and make use of value added products and services; and / or
- for any other related

#### 8. HOW WE USE YOUR PERSONAL INFORMATION FOR MARKETING

- We will use your personal information to market our products and services to
- We will do this in person, by post, telephone, or electronic channels such as SMS, email and fax.
- In all cases you can request us to stop sending marketing communications to you at any

#### 9. WHEN, HOW AND WITH WHOM WE SHARE YOUR PERSONAL INFORMATION

In general we will only share your personal information if any one or more of the following apply:

- if you have consented to this;
- if it is necessary to conclude or perform under a contract we have with you;
- if the law requires it; and / or
- if it's necessary to protect or pursue your, our or a third party's legitimate

Where required, Fennec may share your personal information with the following persons. These persons have an obligation to keep your personal information secure and confidential:

- Mercantile Bank, Grindrod Bank and any other Banking we partner with;
- our employees as required by their employment conditions;
- law enforcement and fraud prevention agencies and other persons tasked with the prevention and prosecution of crime;

- regulatory authorities, industry ombuds, governmental departments, local and international tax authorities and other persons the law requires us to share your personal information with;
- our service providers, agents and sub-contractors like couriers and other persons we use to offer and provide products and services to you;
- persons to whom we have ceded our rights or delegated its obligations to under agreements, like where a business is sold;
- courts of law or tribunals that require the personal information to adjudicate referrals, actions or applications;
- the general public where you submit content to our social media sites like our Facebook page;
- trustees, Executors or Curators appointed by a court of law; and / or
- our joint venture and other partners with whom we have concluded business

#### 10. YOUR DUTIES AND RIGHTS ABOUT THE PERSONAL INFORMATION WE HAVE ABOUT YOU

You must provide proof of identity when enforcing the rights

You must inform us when your personal information changes.

You have the right to request access to the personal information we have about you by contacting us. This includes requesting:

- confirmation that we hold your personal information;
- a copy or description of the record containing your personal information; and
- the identity or categories of third parties who have had access to your personal

We will attend to requests for access to personal information within a reasonable time. You may be required to pay a reasonable fee to receive copies or descriptions of records, or information about third parties. We will inform you of the fee before attending to your request.

Please note that the law may limit your right to access information.

You have the right to request us to correct or delete the personal information we have about you if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or we are no longer authorised to keep it. You must inform us of your request in writing. It may take up to 15 business days for the change to reflect on our systems. We may request documents from you to verify the change in personal information.

A specific agreement that you have entered into with us may determine how you must change your personal information provided at the time when you entered into the specific agreement. Please adhere to these requirements. If the law requires us to keep the

personal information, it will not be deleted upon your request. The deletion of certain personal information may lead to the termination of your business relationship with us.

You may object on reasonable grounds to the processing of your personal information.

We will not be able to give effect to your objection if the processing of your personal information was and is permitted by law; you have provided consent to the processing and our processing done according to your consent or the processing is necessary to conclude or perform under a contract with you.

You must inform us of any objection in writing.

Where you have provided your consent for the processing of your personal information, you may withdraw your consent. If you withdraw your consent we will explain the consequences to you. We may proceed to process your personal information even if you have withdrawn your consent if the law permits or requires it. It may take up to 15 business days for the change to reflect on our systems, during this time we may still process your personal information.

You have a right to file a complaint with us or any Regulator with jurisdiction about an alleged contravention of the protection of your personal information by us. We will address your complaint as far as possible.

## 11. HOW WE SECURE YOUR PERSONAL INFORMATION

We will take appropriate and reasonable technical and organisational steps to protect your personal information according to industry best practices. Our security measures (including physical, technological and procedural safeguards) will be appropriate and reasonable. This includes the following:

- keeping our systems secure (like monitoring access and usage);
- storing our records securely;
- controlling the access to our buildings, systems and/or records; and
- safely destroying or deleting records. You can also protect your personal

When you access our website using a modern web browser such as Microsoft® Internet Explorer or Google Chrome, an encrypted and secure session is established to protect your communications through server authentication and data encryption.

We protect your account information by placing it on the secure portion of our website. That's why you have to enter a unique username and password each time you want to

access your account information. In addition, you can use the 'log off' button located throughout the site to securely exit your account without closing your browser. It is your responsibility to ensure that your password is never shared with anyone.

12. HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION? We will keep your personal information for as long as:

- the law requires us to keep it;
- a contract between you and us requires us to keep it;
- you have consented for us keeping it;
- we are required to keep it to achieve the purposes listed in this Privacy Policy;
- we require it for statistical or research purposes;
- a code of conduct requires us to keep it; and / or
- we require it for our lawful business

Take note: We may keep your personal information even if you no longer have a relationship with us, if the law permits.

### 13. OUR COOKIE POLICY

A cookie is a small piece of data sent from our websites or applications to your computer or device hard drive or Internet browser where it is saved. The cookie contains information to personalise your experience on our websites or applications and may improve your experience on the websites or applications. The cookie will also identify your device, like the computer or smart phone.

By using our websites or applications you agree that cookies may be forwarded from the relevant website or application to your computer or device. The cookie will enable us to know that you have visited the website or application before and will identify you. We may also use the cookie to prevent fraud.

### 14. HOW WE PROCESS INFORMATION ABOUT PERSONS RELATED TO A JURISTIC PERSON E. RELATED PERSONS

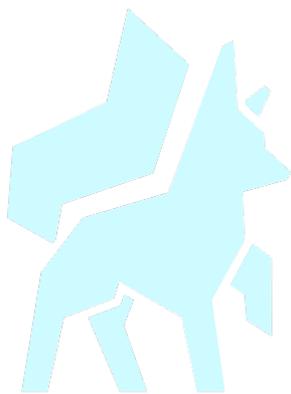
If you are a juristic person (like a company or close corporation), we may collect and use personal information relating to the juristic person's directors, officers, employees, beneficial owners, partners, shareholders, members, authorised signatories, representatives, agents, payers, payees, customers, guarantors, spouses of guarantors,

sureties, spouses of sureties, other security providers and other persons related to the juristic person. These are related persons.

If you provide the personal information of a related person to us you warrant that the related person is aware that you are sharing their personal information with us and that the related person has consented thereto.

We will process the personal information of related persons as stated in this Privacy Policy, thus references to “you” or “your” in this Privacy Policy will include related persons with the necessary amendments.

***This privacy and security policy must be read together with the terms and conditions which govern the use of this website. Your use of this website and the services indicates your acceptance of this privacy and security policy and the general terms and conditions.***



**Fennec**  
**Flow**