



*FreightGuard collects and uses Personal Information of individuals and juristic entities with whom it engages with, in order to operate and carry out its business efficiently and accurately.*

*FreightGuard regards the lawful and appropriate processing of all Personal Information as not only critical for successful service delivery, but also essential for fostering the trust between FreightGuard and those individuals and juristic entities it deals with.*

## POPIA POLICY

IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013  
AND REGULATIONS (AS AMENDED)  
("POPIA")

### 1. INTRODUCTION

- 1.1 International Freight Guard (Pty) Ltd ("**FreightGuard**") is a private company and professional third-party claims administrator that has been servicing the freight industry since the early 2000's.
- 1.2 FreightGuard provides a comprehensive program from conceptualisation, design and implementation to ongoing outsourced claims handling and regular data analytics.
- 1.3 FreightGuard recognises the constitutional rights of a person/s to privacy and acknowledges that it is of the utmost importance, as required by law, to protect the Personal Information pertaining to the relevant parties concerned.
- 1.4 FreightGuard is committed to the safeguarding of such information as well as ensuring that Personal Information is processed appropriately, transparently, securely and in accordance with POPIA and other applicable laws.

- 1.5 This Policy explains how FreightGuard collects, uses and protects Personal Information and by a data subject providing FreightGuard with his/her/its Personal Information, the data subject agrees to this Policy and authorizes FreightGuard, its service providers and other third parties to process his/her/its Personal Information for the purposes as set out herein.
- 1.6 For purposes of this Policy, a) “data subject” means any person whose personal information is processed, as defined in POPIA; b) “Personal Information” means any information that falls within the definition of ‘personal information’ as defined in POPIA; and c) “Responsible Party” means a public or private body or any other person which, alone or in combination with others, decides the purpose of and means for processing personal information, as defined in POPIA.
- 1.7 FreightGuard reserves the right to amend this Policy or add provisions to it at any time by publishing an updated version on its website at [www.freightguardintl.com](http://www.freightguardintl.com).

## 2. PURPOSE OF POPIA

- 2.1 The purpose of POPIA is to:
- 2.1.1 give effect to the constitutional right to privacy, by safeguarding Personal Information when processed by a Responsible Party;
- 2.1.2 regulate the manner in which Personal Information may be processed; and
- 2.1.3 provide data subjects with rights and remedies to protect their Personal Information from being processed in a manner which is not in accordance with POPIA.

## 3. FREIGHTGUARD'S CONTACT DETAILS

Full name	:	International Freight Guard (Pty) Ltd
Registration number	:	2010/017345/07
Postal address	:	PO Box 18674, Sunward Park, 1460
Physical address	:	270 Rondebult Road, Boksburg, 1459
Telephone numbers	:	010 013 2411

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Website	:	<a href="http://www.freightguardintl.com">www.freightguardintl.com</a>
Email	:	<a href="mailto:info@freightguardintl.com">info@freightguardintl.com</a>
Chief Executive Officer & Information Officer	:	Pam Eley

#### 4. THE PERSONAL INFORMATION COLLECTED

4.1 FreightGuard collects Personal Information of a data subject as follows:

4.1.1 directly from the data subject and / or in the course of its relationship with a data subject and / or in the course of providing services to a data subject;

4.1.2 during the course of interactions with a data subject;

4.1.3 when a data subject visits FreightGuard's offices and / or website and / or electronic and social media platforms;

4.1.4 *via* a mobile or other software apps developed by or for FreightGuard;

4.1.5 from third parties, if the collection from third parties is required by law or forms part of a public record; and

4.1.6 through the use of cookies.

4.2 Indirect information are collected from all users of FreightGuard's website and/or mobile or other software apps developed by or for FreightGuard, in order to maintain its website's and/or apps' basic functionality, or to anonymously track what users do on its website and / or apps, in the form of cookies, the demographic data about users, information users submit when contacting FreightGuard's customer support services, information relating to claims or disputes and the device data which is used to access its website and / or app, which may include mobile network data, software, device IP addresses etc.

4.3 FreightGuard collects and processes a data subject's Personal Information for the purposes of and relating to the services that it provides to a data subject.

- 4.4 The type of information collected will depend on the nature of the services for which it is collected and will be processed for that purpose solely.
- 4.5 FreightGuard collects, for example, the following Personal Information:
- 4.5.1 personal details of natural persons (including but not limited to full name and surname, passport or identity number or date of birth, contact details such as mobile numbers and email addresses, physical addresses; tax related information, gender, nationality, banking details, passwords and usernames (if applicable) and financial information etc.);
  - 4.5.2 details of juristic persons (including but not limited to registered name, registration number, VAT number, contact details such as telephone numbers and email addresses, duly authorised representative's name, surname and contact details, banking details, physical or postal addresses passwords and usernames (if applicable) and financial information etc.);
  - 4.5.3 transaction details, (including payment amounts, claim amounts, incident and claim details, claimant details, such as name, contact details and description of goods, the date and time services were delivered, date and time claim arose, and / or rendered and other related transaction details);
  - 4.5.4 contracted service providers details (including but not limited to names of contact persons, registered names, registration number, contact details such as telephone numbers and email addresses, physical or postal addresses, BBBEE information, tax related information etc.);
  - 4.5.5 employees' details (including but not limited to gender, pregnancy, marital status, race, age, language, education information, financial information, identity number / passport number, contact details such as telephone numbers and email addresses, physical and postal addresses, criminal records, well-being, employment history, spouse's or emergency contact details, biometric information etc.);
  - 4.5.6 CCTV footage such as images and video footage and audio clips to enable FreightGuard to secure its premises; and
  - 4.5.7 other details which might include any additional information which is required by law for FreightGuard to verify a data subject's identity.

4.6 All and any Personal Information provided to FreightGuard must be true, accurate and current and should a data subject's Personal Information change, it is the data subject's responsibility to immediately notify the FreightGuard thereof.

## 5. USE OF PERSONAL INFORMATION

5.1 FreightGuard will process Personal Information as follows:

5.1.1 in the ordinary course of its business in providing services to its customers;

5.1.2 to comply with legal or regulatory obligations;

5.1.3 if a data subject has provided consent; and

5.1.4 if the processing is allowed by law.

5.2 FreightGuard will process Personal Information for the following purposes:

5.2.1 providing products and / or services to customers;

5.2.2 application for employment;

5.2.3 application from goods and service providers;

5.2.4 assessing B-BBEE status, if applicable;

5.2.5 conclusion of contracts;

5.2.6 human resources purposes;

5.2.7 conducting market or customer satisfaction research;

5.2.8 marketing and sales;

5.2.9 exercising and defending legal rights;

5.2.10 preventing fraud and / or preventing and detecting crime;

5.2.11 staff administration;

5.2.12 improving users' experience when using its website and / or apps;

5.2.13 enabling its internal operations;

- 5.2.14 complying with legal and regulatory requirements;
- 5.2.15 access control and CCTV data;
- 5.2.16 keeping accounts and records; and
- 5.1.17 disclosing Personal Information:
  - 5.1.17.1 to its employees and/or third-party service providers, in order for FreightGuard to conduct its operations and to assist it to accurately and sufficiently communicate with a data subject;
  - 5.1.17.2 where it is required in order to comply with any applicable law, subpoena, an order of court or legal process served on FreightGuard, or to protect and defend its rights or property;
  - 5.1.17.3 to the service providers of FreightGuard (under contract with FreightGuard) who help with parts of its operations; and
  - 5.1.17.4 to auditors, legal and other professional advisers and consultants of FreightGuard as well as government authorities and registries, organs of state, regulators, courts, tribunals and law enforcement agencies.
- 5.2 When FreightGuard shares Personal Information with a third party, it requires the following from such third party:
  - 5.2.1 to agree to use a data subject's Personal Information in accordance with this Policy and in accordance with applicable laws; and
  - 5.2.2 to only use Personal Information in connection with the services they perform for FreightGuard and not for their own benefit.
- 5.3 FreightGuard may share a data subject's Personal Information with third parties for the purposes of business transfers, in that as FreightGuard continues to develop its business, it might sell or buy other businesses or services and in such transactions, customer information may be transferred together with other business assets.
- 5.4 FreightGuard may further supply Personal Information to any party to whom FreightGuard has assigned or transferred any of its rights or obligations under any agreement, and / or to service

providers who render services to FreightGuard, such as the capturing and organising of data, the storing of data and the sending of communications to customers.

## **6. TRANSBORDER OF PERSONAL INFORMATION**

- 6.1 FreightGuard may transfer data trans-border in order to store data with third party cloud storage providers.
- 6.2 When Personal Information is transferred to recipients outside of the Republic of South Africa, FreightGuard will take appropriate measures to ensure that the country to which the Personal Information is transferred has adopted similar legislation to POPIA and further that the Responsible Party undertakes to protect the Personal Information in line with applicable data protection legislation.

## **7. SECURITY**

- 7.1 FreightGuard acknowledges the sensitivity and confidential nature of Personal Information and has taken all appropriate, reasonable technical and organizational measures to ensure that Personal Information processed, is safeguarded in terms of the provisions of POPIA.
- 7.2 FreightGuard employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care and such measures include the following:
  - 7.2.1 Firewalls;
  - 7.2.2 Virus protection software and update protocols;
  - 7.2.3 Logical and physical access control;
  - 7.2.4 Secure setup of hardware and software making up the IT infrastructure; and
  - 7.2.5 Confidentiality enforcement such as password policies and non-disclosure agreements.
- 7.3 FreightGuard will notify, the relevant regulator and the data subject if it becomes aware of any unauthorised use, disclosure or processing of such data subject's Personal Information.

- 7.4 FreightGuard is not liable to a data subject, or any other person, for any harm, loss, damage, destruction or unauthorized access that may occur despite its implementation of such reasonable safeguards.

## **8. DATA RETENTION**

FreightGuard will only retain and store Personal Information for as long as it may be reasonably necessary in accordance with law.

## **9. COOKIES AND HOW IT IS USED**

FreightGuard's website and other electronic platforms, makes use of "cookies" to automatically collect information and data through the standard operation of the internet servers. "Cookies" are small text files a website uses to identify frequent users, facilitate the user's on-going access to and use of a website and allow a website to track usage behaviour and collect combined data that will allow the website operator to improve the functionality of the website and its content, and to display more focused advertising to a user by way of third party tools. The type of information collected by cookies is not used to personally identify you. If you do not want information collected through the use of cookies, there is a simple process in most browsers that allows you to deny or accept the cookie feature. Please note that cookies may be required to provide you with certain features available on FreightGuard's electronic platforms, and thus if you disable the cookies on your browser you may not be able to use such features, and your access to our electronic platforms may therefore be restricted. If you do not disable "cookies", you are deemed to consent to our use of any personal information collected using "cookies", subject to the provisions of this paragraph 9 and the Policy.

## **10. RIGHTS AND QUERIES**

- 10.1 A data subject has the right to access his/her/its Personal Information held by FreightGuard and a data subject wishing to exercise this right, may do so by following the procedure set out in the FreightGuard's Information Manual in terms of the Promotion of Access to Information Act



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- No. 2 of 2000. A copy of the Information Manual may be accessed at [www.freightguardintl.com](http://www.freightguardintl.com) or by requesting a copy thereof from the Information Officer *via* email.
- 10.2 South African law and other laws provide data subjects with rights to access, amend or delete Personal Information that is in FreightGuard's possession. However, FreightGuard may, in certain instances, legally refuse or decline such requests.
- 10.3 Data subjects also have the rights to object to his/her/its Personal Information being processed by FreightGuard or to file a complaint to the regulator to that effect.
- 10.4 In the event of a data subject having any queries regarding this Policy, or wishing to exercise his/her/its rights, FreightGuard can be contacted by emailing [pam@freightguardintl.com](mailto:pam@freightguardintl.com) / [steve@freightguardintl.com](mailto:steve@freightguardintl.com).