

# Sphere Holdings



## Privacy Policy (POPI)

Revision History		
Version	Revision Date	Description of Changes
1	01 July 2021	Policy updated
2	01 November 2022	Policy updated
3	13 December 2023	Policy updated

### 1. Purpose/ Scope

- 1.1. Sphere Holdings (Pty) Ltd (**Sphere**) is a long-term investment holding company. Through its subsidiaries, Sphere invests in companies spanning a wide range of sectors and industries. This privacy policy applies to Sphere and its subsidiaries.
- 1.2. Sphere processes the personal information of any persons who invest through Sphere, persons who are targets for investment, prospective investors and targets (including affiliates and related persons), as well as any other persons who transact with Sphere in any way. (A person whose personal information is processed by Sphere is referred to as a **Subject**.)
- 1.3. Sphere collects personal information for the purposes of evaluating potential investment opportunities, considering investment partners, growing and safeguarding its business and investments, compliance with the requirements of the law, providing effective services and improving the excellence of its services. These are Sphere's essential purposes (collectively, the **Business Purpose**).
- 1.4. In compliance with the Protection of Personal Information Act 4 of 2013, Sphere commits to processing the personal information of Subjects lawfully and in a reasonable manner which does not infringe the privacy of any such person.
- 1.5. This policy applies to all contractors, clients, service providers, permanent and temporary employees of Sphere.

## 2. How does Sphere collect personal information?

- 2.1. Personal information is usually collected directly from a Subject or its representative. This information may include (but is not limited to) name, identity/passport/registration number, address details, telephone number, tax numbers, financial information and banking details.
- 2.2. Sphere will collect personal information through electronic correspondence, personal meetings, telephone calls and in general dealings with a Subject or its representative.
- 2.3. Sphere may refer to a Subject's website, social media profiles and other publicly available sources, to better understand its activities and ethos and collect certain personal information.
- 2.4. Sphere may collect certain personal information about Subjects from third parties, including the South African Revenue Service (**SARS**) and the Companies and Intellectual Property Commission (**CIPC**). Sphere may run background checks on, inter alia, identity and financial history, in accordance with lawful practice.
- 2.5. Sphere may monitor activity on its own IT network and website and gather information about who is visiting and using its website and how, in order to fulfil the Business Purpose.
- 2.6. To the extent a Subject provides Sphere with the personal information of a third person (including a director, employee or affiliate of such Subject), that Subject warrants and undertakes that such personal information is provided to Sphere pursuant to a lawful purpose. In this regard, such Subject indemnifies and holds Sphere harmless against any claims, loss, or damages whatsoever that may be suffered by Sphere arising from a breach by that Subject of its obligations herein or in any law.
- 2.7. By transacting with Sphere or attempting or proposing to transact with Sphere in any way, you consent to the collection of personal information described in this Privacy Policy and any further collection necessary to fulfil the Business Purpose.

### **3. Is providing personal information voluntary or compulsory?**

- 3.1. To fulfil the Business Purpose, Sphere is required to collect the personal information of Subjects.
- 3.2. Providing personal information is required by law in certain circumstances. Sphere will decline to transact with any person who refuses to comply with the requirements of any such law.
- 3.3. Laws which may require Sphere to process personal information of a Subject include, amongst others, the Financial Intelligence Centre Act 38 of 2001 (FICA) and the Financial Advisory and Intermediary Services Act 37 of 2002 (FAIS).
- 3.4. Providing information not specifically required by law is voluntary. However, Sphere reserves the right to decline to transact with any person who fails to provide any information which it has requested from that person and which Sphere deems necessary, in its sole discretion.

### **4. How does Sphere store and manage personal information?**

- 4.1. Sphere may store personal information electronically and/or physically.
- 4.2. Information stored electronically is stored on the Sphere secure server, which is password protected and has restricted access.
- 4.3. Information stored physically is stored in a lockable filing cabinet with restricted access.
- 4.4. Sphere's Microsoft Office software is continuously updated as per the terms of the Microsoft platform, this includes security settings appropriate for business applications. Sphere maintains anti-virus and anti-malware software which is also updated regularly as recommended by the software provider.
- 4.5. Sphere will endeavour to take reasonable and appropriate measures to keep personal information secure. However, Sphere cannot guarantee the absolute security of personal information.
- 4.6. By transacting with Sphere or attempting or proposing to transact with Sphere in any way, you consent to the storage and management of personal information described in this Privacy Policy and any storage and management necessary to fulfil the Business Purpose.

## **5. What does Sphere do with the personal information?**

- 5.1. Sphere uses the personal information which it collects to fulfil the Business Purpose.
- 5.2. To carry out the Business Purpose, Sphere's directors, managers, employees, agents and contractors may need to review, consider, verify and discuss the personal information collected by it.
- 5.3. Where required by law, personal information collected by Sphere may be disclosed to SARS or any other governmental authority or regulatory body.
- 5.4. Sphere will also use the personal information collected by it for payment and billing purposes.
- 5.5. In certain circumstances, including where it is necessary for the performance of a contract or pursuant to a lawful purpose, Sphere may transfer the personal information of Subjects to third parties in foreign countries.
- 5.6. By transacting with Sphere or attempting or proposing to transact with Sphere in any way, you consent to the use of personal information described in this Privacy Policy and any further use necessary to fulfil the Business Purpose.

## **6. How long does Sphere keep the personal information for?**

Sphere stores and processes personal information for so long as Sphere maintains a business relationship or contact with such Subject, and for at least 7 (seven) years thereafter. This is to:

- Ensure that it maintains personal information of all Subjects who could benefit from Sphere's services;
- Comply with the laws applicable to Sphere's industry; and
- Carry out good record-keeping practices, in case the details of any transaction are queried by a Subject, governmental authority or regulatory body.

By transacting with Sphere or attempting or proposing to transact with Sphere in any way, you consent to the length of time for which Sphere keeps the personal information.

## **7. Subjects' rights to deal with their personal information**

Each Subject has the right to:

- 7.1. Withdraw any of the consents given to Sphere in relation to the processing of their personal information (however, Sphere may continue to process the personal information to the extent necessary to implement a contract with the Subject, or to protect the legitimate interests of the Subject, or to protect the legitimate interests of Sphere, or to comply with any legal obligation);
- 7.2. Ask Sphere to reveal what personal information Sphere has relating to the Subject and who has had access to that information (in which case Sphere will respond as soon as reasonably practicable);
- 7.3. Ask Sphere to correct or delete any of their personal information, which is inaccurate, irrelevant, out of date, incomplete or misleading (in which case Sphere will respond by altering its records, or substantiating its records, as appropriate, as soon as reasonably practicable), provided that the Subject will, on request, provide all such correct and accurate personal information as may be required;
- 7.4. Ask Sphere to destroy or delete any of their personal information if it is no longer lawful for Sphere to retain it (in which case Sphere will respond as soon as reasonably practicable, allowing time for Sphere to seek legal advice if necessary);
- 7.5. Object to Sphere processing any of their personal information where the processing is:
  - Not covered by consent; or
  - Not necessary for carrying out a contract between Sphere and the Subject; or
  - Not necessary to discharge a legal obligation of Sphere, and the Subject has reasonable grounds for objection (in which case Sphere must cease processing the personal information);
- 7.6. Object to Sphere processing any of their personal information to prevent any direct marketing by Sphere to the Subject (in which case Sphere must cease processing the personal information for this purpose);

7.7. Lodge a complaint to the Information Regulator at:

JD House, 27 Stiemens Street

Braamfontein

Johannesburg, 2001

or

PO Box 31533

Braamfontein, Johannesburg, 2017

or

Tel: 010 023 5207

Email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za) / [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za).

7.8. Sphere Holdings Proprietary Limited is a private company registered with CIPC with registration number 2003/004195/07. Its registered address is Rosebank Towers, 7th Floor, 19 Bierman Avenue, Rosebank, South Africa ,2196.

7.9. Within Sphere's structure, Thembeke Mkhize is Sphere's Information Officer. For all requests relating to the processing of personal information, the Information Officer may be contacted at [t.mkhize@sphereholdings.co.za](mailto:t.mkhize@sphereholdings.co.za) or on +27 10 900 4200.

## **8. Policy Review**

The policy shall be reviewed annually.

## **9. Control Document Disclaimer**

Sphere Holdings reserves the rights to interpret, change, suspend, cancel or dispute, with notice, all or any part of this document or benefits discussed herein. Employees will be notified before implementation of any change. If and when this document or any provision thereof is amended, the amended policy or provision thereof will supersede the previous one.