

**PROMOTION OF ACCESS TO INFORMATION ACT (“PAIA Act”)
and
PROTECTION OF PERSONAL INFORMATION (“POPI Act”)
MANUAL OF:**

INVICTA HOLDINGS LIMITED (“INVICTA”)

(Registration Number: 1966/002182/06)

and

**SUBSIDIARY COMPANIES AND DIVISIONS
 (“SUBSIDIARIES/DIVISIONS”)**

As more fully detailed in Annexure “A”

Registered Office:

3 Droste Crescent, Droste Park,
Ext 7, Jeppestown, Johannesburg, 2001

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2000 and to address the requirements of the Protection of Personal Information Act, 2013.

INDEX

- 1. Interpretation;**
- 2. Aim;**
- 3. Introduction to Invicta and Subsidiaries/Divisions business;**
- 4. Contact Person and Address Details of Invicta;**
- 5. Guide on the use of the PAIA Act;**
- 6. Policy regarding confidentiality and access to information;**
- 7. Categories of Records available**
- 8. Applicable Legislation (includes but not limited);**
- 9. Categories and Schedule of Records;**
- 10. Form of Request and Prescribed Fees.**
- 11. Guide on the use of the POPI Act**
- 12. Annexure A – Invicta Subsidiaries/Divisions**
- 13. Annexure B – Request for access to records of private body**
- 14. Annexure C – Prescribed Fees**
- 15. Annexure D – Form 1: Objection to processing of personal information**
- 16. Annexure E – Form 2: Correction or deletion or destroying/ destruction of personal information**
- 17. Annexure F – Form 3 Withdrawal of consent to process personal information**

1. INTERPRETATION

In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention –

1.1. an expression which denotes

1.1.1. any gender includes the other genders;

1.1.2. a natural person includes an artificial or juristic person and vice versa;

1.1.3. the singular includes the plural and vice versa;

1.2. the following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings –

1.2.1. **“Business Day”** means any day other than a Saturday, Sunday, or official public holiday in the Republic of South Africa;

1.2.2. **“Data Subject”** means the person to whom personal information relates;

1.2.3. **“Information Officer”** means the designated compliance officer appointed by the Company to address compliance with and POPI Act, from time to time;

1.2.4. **“the Company”** means Invicta Holdings Limited, registration number 1966/002182/06, and all references to the Company in this document includes the Subsidiaries/Divisions;

1.2.5. **“this Manual”** means this Promotion of Access to Information and Protection of Personal Information manual document together with all its annexures, as amended by the Company from time to time;

1.2.6. **“the Subsidiaries/Divisions”** means the Subsidiaries/Divisions of the Company as more fully detailed in **Annexure “A”**;

1.2.7. **“PAIA Act”** means Promotion of Access to Information Act No.2 of 2000, as amended from time to time, including the regulations promulgated in terms of the PAIA Act;

1.2.8. **“POPI Act”** means Protection of Personal Information Act No 4 of 2013, as amended from time to time, including the regulations promulgated in terms of the POPI Act;

1.2.9. **“Request Liaison Officer”** – the person duly authorised by the head of the Company and appointed by the Company to facilitate or assist the head of the Company with any request in terms of the PAIA Act.

1.3. any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation, or other legislation as at the publication date, and as amended or substituted from time to time;

- 1.4. if any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this document;
- 1.5. where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document;
- 1.6. where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day;
- 1.7. any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months, or years, as the case may be;
- 1.8. the use of the word “including” followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s;
- 1.9. insofar as there is a conflict in the interpretation of or application of this document and the PAIA Act and POPI Act, the PAIA Act and POPI Act shall prevail;
- 1.10. this document does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the PAIA Act and POPI Act. A requester is advised to familiarize his/her/itself with the provisions of the PAIA Act and POPI Act before lodging any request with the company.

2. AIM

Section 51 of PAIA Act requires the Company to compile a manual giving information to the public regarding the procedure to be followed in requesting information from the Company for purpose of exercising or protecting rights. On request, the Company or government is obliged to release such information unless the PAIA Act expressly states that the records containing such information may or must not be released. The POPI Act provides for:

- a. promoting the protection of Personal Information processed by public and private bodies;
- b. certain conditions so as to establish minimum requirements for the processing of Personal Information;
- c. to provide for the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of the POPI Act and the PAIA Act;

- d. to provide for the issuing of codes of conduct;
- e. to provide for the rights of persons regarding unsolicited electronic communications and automated decision making;
- f. to regulate the flow of Personal Information across the borders of the Republic;
and
- g. to provide for matters connected therewith.

Section 14 of the Constitution of the Republic of South Africa, 1996, provides that everyone has the right to privacy. The right to privacy includes a right to protection against the unlawful collection, retention, dissemination and use of personal information.

The POPI Act gives Data Subjects the right to, in the prescribed manner, request a responsible party to correct or delete Personal Information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of Personal Information about the Data Subject that the responsible party is no longer authorised to retain access and/or request the correction or deletion of any Personal Information held about them that may be inaccurate, misleading or outdated.

The Company endorses the spirit of the PAIA Act and POPI Act and believes that this Manual will assist requesters in exercising their rights. The PAIA Act seeks, inter alia, to give effect to the constitutional right of access to any information held by the state or by any other person where such information is required for the exercise or protection of any right.

3. INTRODUCTION TO INVICTA AND SUBSIDIARIES/DIVISIONS BUSINESS

Invicta Holdings Limited (“the Company”) is an investment holding and management company – see also www.invictaholdings.co.za.

This Manual covers the records held by Invicta and its subsidiaries/divisions. Its operations comprise the following principal Subsidiaries/Divisions, as also more fully detailed in **Annexure “A”**:

3.1. Engineering Solutions Group (ESG)

| Subsidiaries/Divisions | Principal Activities |
|---|--|
| Bearing Man Group | Southern Africa’s leading distributor of bearings, seals, power transmission components, drives, belting, fasteners, filtration, and hydraulics |
| Screen Doctor | Services the Mining, Industrial and Food Industries with the design, manufacture, refurbishment, and supply of Vibratory, Dry Magnetic Separation Equipment as well as certain Mobile and Semi Mobile Material Handling Equipment. |
| Industrial Tools & Equipment | Specialist suppliers of engineering tools and equipment in the Maintenance, Repair and Operating (MRO) product groupings. |
| Autobax | Autobax offers automotive components and solutions for sub-Saharan Africa. |

3.2. Capital Equipment Group (CEG)

| Subsidiaries/Divisions | Principal Activities |
|--|--|
| Doosan SA | Doosan SA supplies predominantly heavy earthmoving machinery for construction and mining applications. |
| Criterion | Importer and distributor of leading materials handling equipment and related spares. |
| Equipment Spare Parts Africa (ESP) | After-market replacement parts, ground engaging tools and undercarriage parts for earthmoving equipment. |
| High Power Equipment Africa (HPE) | A distributor of Hyundai earthmoving equipment. |
| Kian Ann Engineering (Kian Ann) (Singapore) | A large distributor of heavy earthmoving machinery parts and diesel engine components in Singapore. |

3.3. Building Supply Group (BSG)

| Subsidiaries/Divisions | Principal Activities |
|-------------------------|---|
| MacNeil Plastics | A leading manufacturer of plastic pipes and fittings within the PVC civils and merchant industries. |

A copy of this Manual is available to the public for inspection on the Invicta website in a PDF (“Portable Document Format”) version at www.invictaholdings.co.za or on request from the designated contact person referred to in this Manual.

4. CONTACT PERSON AND ADDRESS DETAILS OF INVICTA

(as required by Section 51(1)(a))

Head of Private Body: Mr. Steven Brian Joffe

Registered Address: 3 Droste Crescent, Droste Park, Ext Johannesburg, 2001, South Africa

Postal Address: P.O Box 33431, Jeppestown, 2043, South African

Telephone: 011 622 7300

E-mail Address: stevenjoffe@invictaholdings.co.za

CONTACT PERSON 1:

The Chief Executive Officer (“CEO”) of Invicta, Steven Brian Joffe, has duly authorised the contact person below to ensure that the PAIA Act is complied with:

Request Liaison Officer: The company secretary

E-mail Address: legal@invictaholdings.co.za

CONTACT PERSON 2:

The below contact person is appointed to ensure that the POPI Act is complied with:

Information Officer: Steven Brian Joffe

E-mail Address: stevenjoffe@invictaholdings.co.za

COMPANY DETAILS:

Full Name: Invicta Holdings Limited (and Subsidiaries/Divisions detailed in **Annexure ”A”**)

Registration Number: 1966/002182/06

Registered Address: 3 Droste Crescent, Droste Park, Ext Johannesburg, 2001, South Africa

Postal Address: P.O Box 33431, Jeppestown, 2043, South African

Telephone: 011 622 7300

Email Address: legal@invictaholding.co.za

Website: www.invictaholdings.co.za

5. GUIDE ON THE USE OF THE PAIA ACT

(as required by Section 51(1)(b), as read with Section 10)

- 5.1 The South African Human Rights Commission (“SAHRC”) has been tasked with the administration of the PAIA Act.
- 5.2 The PAIA Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest
- 5.3 Requests in terms of the PAIA Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the PAIA Act.
- 5.4 Requesters are referred to the Guide in terms of section 10 which has been compiled by the SAHRC which contains information for the purposes of exercising Constitutional Rights. The Guide is available from at www.sahrc.org.za.
- 5.5 The contact details of the SAHRC are:

Physical Address: The South African Human Rights Commission
Braampark Forum 3, 33 Hoofd Street, Braamfontein

Postal Address: The South African Human Rights Commission:
PAIA (Promotion of Access to Information Act) Unit
Research and Documentation Department
Private Bag 2700
Houghton, 2041

Telephone Number: (011) 877 3600

Fax Number: (011) 403 0625

E-mail Address: PAIA@sahrc.org.za

Website: www.sahrc.org.za

6. POLICY REGARDING CONFIDENTIALITY AND ACCESS TO INFORMATION

Invicta will protect the confidentiality of information provided to it by third parties, subject to the Company's obligations to disclose information in terms of any applicable law or regulation or a court order requiring disclosure of information. If access is requested to a record that contains information about a third party, Invicta is obliged to attempt to contact such third party to inform him/her/it of the request.

Invicta will give the third party an opportunity of responding by either consenting to the access or by providing reasons why the access should be denied. In the event that the third-party furnishing reasons for the support or denial of access, the Request Liaison Officer will consider these reasons in determining whether access should be granted to the requestor or not.

7. CATEGORIES OF RECORDS AVAILABLE (where applicable)

(as required by Section 51(1)(c))

7.1. Statutory Record – All companies (whether private or public)

- Memorandum of Incorporation
- Notice of Incorporation
- Registration Certificate
- Certificate to commence business
- Register of Directors
- Declarations of Directors'
- Interests Reservation of name
- Shortened form of name
- Defensive names
- Change of name
- Notice of amendment to the Memorandum of Incorporation
- Notice of alteration to the Memorandum of Incorporation
- Notice concerning the company rules
- Notice of board resolution to convert par value shares
- General security holder notice to company and proxy form
- General company notice to security holders
- General company notice to holders of beneficial interest
- Notice of directors' personal financial interest
- Notice of change of auditor or company officials
- Notice of pending deregistration of company
- Application for reinstatement of de-registered company
- Notice of Employee Share Incentive Scheme
- Annual certificate of Employee Shares Scheme
- Registration of Prospectus or Letter of Allocation

- Notice of translation of the Memorandum of Incorporation
- Notice of Consolidation of Memorandum of Incorporation
- Notice of change of registered office
- Notice of change of particulars of person to accept service
- Notice of location of company records
- Annual returns
- Commission Demand for corrected information
- Consent to order
- Compliance notice
- Compliance certificate
- Notice of amalgamation or merger
- Notice of beginning of Business Rescue proceedings
- Notice of termination of Business Rescue proceedings
- Notice of substantial implementation of a business rescue plan
- Complaint to Commission
- Commission notice of non-investigation
- Commission request for additional information
- Commission Summons
- Commission notice to investigate
- Referral by Commission or Panel to another regulator

7.2. Listed company records available for inspection

- Share register
- Monthly download from STRATE
- Financial statements
- Trading updates published (profit forecasts)
- JSE news (SENS)
- Share dealings of directors
- Dividend declarations
- Corporate transactions
- Circulars to shareholders
- Notices of general meetings
- Shareholders' meeting minutes
- General meetings of the company
- Dividend register
- Integrated report
- Interim report
- Annual register as supplied by the transfer secretaries
- Appointments/resignation of directors
- Announcements :
 - Rights offers
 - Mergers and acquisitions
 - Share placings
 - Claw-back offers
 - Scheme of arrangements
 - Prelisting statements

- Annual general meeting of the company

7.3. Corporate Communication

- Press Releases
- Analyst Presentation
- Corporate Mission Statement
- Corporate Code of Ethics

7.4. Intellectual property

- List of the Group's trademarks and registration numbers

7.5. Immovable Property

- Title Deeds

7.6. Company Investment

- List of subsidiary companies, associates, and joint adventures

7.7. Human Resources

- Employment Equity Returns to the Department of Labour
- Work Skills Development Plans submitted to relevant Sector Education and Training Authority ("SETA")
- Code of conduct and business
- Standard Terms and Conditions of Employment applicable to all Staff

7.8. Employee Benefits

- Invicta Holdings (and Subsidiaries/Divisions) Pension Fund
- Invicta Holdings (and Subsidiaries/Divisions) Retirement Fund
- Invicta Holdings (and Subsidiaries/Divisions) Provident Fund
- Discovery & Momentum Medical Aid Scheme
- Old Mutual Superfund Sanlam, Alexander Forbes

As the above are separate entities, information pertaining to these entities must be requested direct from those funds themselves.

The administrators of the retirement funds are Alexander Forbes Consultants and Actuaries.

7.9. Auditors

- The Company's auditors are Ernst & Young, 102 Rivonia, Dennehof, Sandton, 2196

7.10. Share Options scheme and Share Appreciation Right Scheme

7.11. Copies of relevant trust deed

8. APPLICABLE LEGISLATION (INCLUDES BUT IS NOT LIMITED TO)

(as required by Section 51(1)(d))

Records are available, where applicable, in accordance with the following current South African legislation (only to the extent that the relevant PAIA Act makes disclosure of records compulsory):

| NO. | ACT |
|------------|--|
| 1. | Basic Conditions of Employment Act, No. 75 of 1997 |
| 2. | Broad Based Black Economic Empowerment Act, No.53 of 2003 |
| 3. | Compensation for Occupation Injuries and Diseases Act, No. 130 of 1993 |
| 4. | Companies Act, No. 71 of 2008 |
| 5. | Competition Act, No 71 of 2008 |
| 6. | Constitution of South Africa Act, No. 108 of 1996 |
| 7. | Consumer Protection Act, No. 68 of 2008 |
| 8. | Currency and Exchange Act, No.9 of 1933 |
| 9. | Debt Collector Act, No 114 of 1998 |
| 10. | Electronic Communications and Transactions Act, No. 2 of 2002 |
| 11. | Employment Equity Act, No. 55 of 1998 |
| 12. | Financial Markets Act, No.19 of 2012 |
| 13. | Financial Intelligence Centre Act, No. 38 of 2001 |
| 14. | Income Tax Act, No. 58 of 1962 |
| 15. | Immigration Act, No.13 of 2002 |
| 16. | Labour Relations Act No. 66 of 1985 |
| 17. | National Road and Traffic Act, No. 93 of 1996 |
| 18. | National Credit Act, No. 34 of 2005 |
| 19. | Occupational Health and Safety Act No. 29 of 1996 |
| 20. | Prescribed Rate of Interest Act, 1975 |
| 21. | Prescriptions Act, No. 68 of 1969 |

| | |
|-----|--|
| 22. | Prevention and Combatting of Corrupt Activities Act, No.12 of 2004 |
| 23. | Prevention of Organised Crime Act, No.12 of 1998 |
| 24. | Promotion to Access to Information Act, No. 2 of 2000 |
| 25. | Promotion of Equality and Prevention of Unfair Discrimination Act, No 26 of 2000 |
| 26. | Protected disclosures Act, No. 26 of 2000 |
| 27. | Regulation of Interception of Communications and Provisions of Communication Related Information Act, No. 70 of 2002 |
| 28. | Skills Development Act No. 9 of 1999 |
| 29. | Skills Development Levy Act, No.9 of 1999 |
| 30. | Unemployment Insurance Act, No. 63 of 2001 |
| 31. | Unemployment Insurance Contributions Act, 2002 |
| 32. | Value Added Tax Act No. 89 of 1991 |

9. CATEGORIES AND SCHEDULE OF RECORDS

(as required by Section 51(1)(e))

Any request for access to records should be submitted on the prescribed form, attached marked **Annexure “B”** which should be sent to the Request Liaison Officer whose name and address appear in Section 5.

| Record | Subject | Availability |
|---|---|---|
| Public Affairs and Listed Company records | Public product information | See website: www.invictaholdings.co.za |
| | Media releases | See website |
| | - Press releases | |
| | - Presentations to analysts | |
| | - Financial reviews | |
| | Request for access to company information | See website |
| | Share register (download from STRATE) | Request in terms of PAIA |
| | Dividend register (Annual register as supplied by the transfer secretaries) | Request in terms of PAIA |
| | Public corporate records | See Website |
| | ➤ SENS announcements | See Website |
| | - Trading statements | |
| | - Appointments/ resignation of directors | |
| | - Share dealings of directors | |
| - Dividend declarations | | |
| - Mergers and acquisitions | | |
| ➤ Circulars to Shareholders | See Website | |
| ➤ B-BBEE scheme announcement | | |
| ➤ Notices of annual general meetings | | |
| ➤ Form of proxy | | |
| List of subsidiary companies and associates | See Website | |
| Copies of the relevant trust deeds | Request in terms of PAIA | |

| | | |
|-----------|---|--|
| Financial | <p>Financial statements</p> <ul style="list-style-type: none"> - Integrated reports - Interim reports <p>Financial and Tax Records (Company & Employees)</p> <p>Asset Register</p> <p>Management Accounts</p> <ul style="list-style-type: none"> - Accounting & Investment Records - List of creditors and debtors - Management Reports - VAT and PAYE Records - Consolidated Records - Internal Reports and Communications - Register of fixed and leased assets - Stock Records | <p>See website</p> <p>Request in terms of PAIA</p> <p>Request in terms of PAIA</p> <p>Request in terms of PAIA</p> |
| Marketing | <p>Market information</p> <p>Product brochures</p> <p>Field Records</p> <p>Performance Records</p> <p>Product Sales Records</p> <p>Marketing Strategies</p> <p>Customer Database</p> <p>Dealer Franchise Documents</p> | <p>Limited Information available on web site (see above)</p> <p>Limited Information available on web site (see above)</p> <p>Request in terms of PAIA</p> <p>Request in terms of PAIA</p> <p>See Integrated Annual Report on website</p> <p>Request in terms of PAIA</p> <p>Request in terms of PAIA</p> <p>Request in terms of PAIA</p> |
| Statutory | <p>Statutory Certificate of Incorporation</p> <p>Certificate of change of name of company</p> | <p>Request in terms of PAIA</p> |

| | | |
|-----------------|--|--|
| | <p>Memorandum of Incorporation</p> <p>Amendment to the memorandum of incorporation</p> <p>Notice of amendment to the Memorandum of Incorporation</p> <p>Notice of change of registered office and postal address</p> <p>Register of directors, auditors and officers</p> <p>Notice of change of financial year end</p> | |
| Human Resources | <p>Code of conduct and business practice</p> <p>Employment Equity returns to the Department of Labour</p> <p>Work skills development plans submitted to relevant Sector Education and Training Authority (SETA)</p> <p>Standard Terms and Conditions of Employment applicable to all Staff</p> <p>Personal Information</p> <p>General files containing information on employee benefits and employee recruitment and selection information</p> <p>Funds</p> <ul style="list-style-type: none"> o Pension fund o Insurance records o Retirement fund o Provident fund o Medical aid scheme | <p>Request in terms of PAIA</p> <p>As these are separate entities, information pertaining to these entities must be requested direct from those funds themselves</p> |
| Auditors | <p>The company's auditors are Ernst & Young, 102 Rivonia Road, Dennehof, Sandton, 2196</p> | |
| Sales Division | <p>List of Products</p> <p>List of Customers</p> <p>List of Suppliers</p> | Request in terms of PAIA |
| Information | <p>Usage statistics</p> | Request in terms of PAIA |

| | | |
|---------------------|--|--|
| Technology Division | Equipment details Costing for hardware and software | |
|---------------------|--|--|

10. FORM OF REQUESTS AND PRESCRIBED FEES

- 10.1. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record and payment of the prescribed fees.
- 10.2. A request must be made on the prescribed form. A copy of the form is attached marked **Annexure “B”** (“the prescribed form”).
- 10.3. The requester must complete the prescribed form and submit same as well as payment of a request fee and a deposit, as more fully detailed in Annexure “C”, if applicable, to the request liaison officer at the postal or physical address, fax number or electronic mail address as stated in paragraph 4 above.
- 10.4. The prescribed form must be filled in with enough particularity to at least enable the request liaison officer to identify –
- 10.4.1. The record or records requested;
 - 10.4.2. The identity of the requester;
 - 10.4.3. Which form of access is required if the request is granted;
 - 10.4.4. The postal address or fax number of the requester.
- 10.5. The requester must state that he / she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 10.6. The same procedure as set out in 10.1 to 10.5 above applies if the requester is requesting information on behalf of another person or on behalf of a permanent employee of the company.
- 10.7. The fees as set out in **Annexure “C”** should accompany the prescribed form.
- 10.8. The head of the Company, as soon as reasonably possible and within thirty days after the request has been received, shall decide whether or not to grant the request.
- 10.9. The requester will be notified of the decision of the head of the Company or the request liaison officer in the manner indicated by the requester.
- 10.10. If the request is granted, the requester shall be informed by the head of the Company or the request liaison officer in the manner indicated by the requester in the prescribed form.

The access fee and/or deposit

11. Notwithstanding the afore going, the Company will advise the requester in the manner stipulated by the requester in the prescribed form of –

11.1. the access fee to be paid for the information (in accordance with **Annexure “C”**) and as more fully detailed in the Act;

11.2. the format in which access will be given.

12. After access is granted, actual access to the record requested will be given as soon as reasonably possible.

Decision on request

13. The requester will be informed whether or not the application for access has been denied or granted. In the event that it is granted the information referred to above pertaining to the access fee, any deposit payable and any other relevant matters will be advised. In the event that the requester is refused the requester will be given adequate reasons for the refusal and will be informed that the requester may lodge an application with a Court against the refusal of the application, as well as the procedure (including the period) for lodging such application.

Grounds for refusal

14. If the request for access is refused, the head of the Company or the request liaison officer shall advise the requester in writing in a notice of refusal. The notice of refusal shall state adequate reasons for the refusal. The main grounds for the Company to refuse a request for information relates to the following:

14.1. Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;

14.2. Mandatory protection of the commercial information of a third party, if the record contains –

14.2.1. Trade secrets of that third party;

14.2.2. Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;

14.2.3. Information disclosed in confidence by a third party to the company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

1.1.1. Mandatory protection of the safety of individuals and the protection of property;

14.2.4. Mandatory protection of record that would prejudice or impair the protection of a person in accordance with a witness protection scheme.

- 14.2.5. Mandatory protection of records that would be regarded as privileged in legal proceedings;
 - 14.2.6. Mandatory protection of record that would prejudice or impair the protection of the safety of the public;
 - 14.2.7. Mandatory protection of personal information that the Company (and its Subsidiaries/Division) hold about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
 - 14.2.8. The research information of the Company or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
 - 14.2.9. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.
- 14.3. Upon the refusal by the head of the Company or the request liaison officer, the deposit paid by the requester will be refunded.

Notification of extension period (if required)

- 14.4. The head of the Company or the Request Liaison Officer may decide to extend the period of thirty days ("original period") for another period of not more than thirty days if –
- 14.4.1. the request is for a large number of records;
 - 14.4.2. the search for the records is to be conducted at premises not situated in the same town or city as the head office of the Company;
 - 14.4.3. consultation among divisions or departments, as the case may be, of the Company is required;
 - 14.4.4. the requester consents to such an extension in writing;
 - 14.4.5. the parties agree in any other manner to such an extension.
 - 14.4.6. Should the Company require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.

Records that cannot be found (or do not exist)

- 14.5. If Invicta (and Subsidiaries/Divisions) has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

Third party information

- 14.6. If access is requested to a record that contains information about a third party, Invicta (and Subsidiaries/Divisions) is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.
- 14.7. In the event of the third-party furnishing reasons for the support or denial of access, our designated contact person will consider these reasons in determining whether access should be granted, or not.

15. Guide on the use of the POPI ACT

15.1. Processing of Personal Information:

Invicta uses the Personal Information under its care in the following ways:

- Conducting credit reference checks and assessments
- Administration of agreements
- Providing products and services to customers
- Discounting and asset funding purposes
- Detecting and prevention of fraud, crime, money laundering and other malpractice
- Conducting market or customer satisfaction research
- Marketing and sales
- In connection with legal proceedings
- Staff administration
- Keeping of accounts and records
- Complying with legal and regulatory requirements
- Profiling data subjects for the purposes of direct marketing

15.2. Categories of Data Subject and their Personal Information:

Invicta may process relating to Suppliers, shareholders, contractors service providers staff and customers:

| Entity type | Personal Information Processed |
|--|--|
| Customers - Natural Persons | Names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence |
| Customers – Juristic Persons / Entities | Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners; shareholding information; BBBEE information |
| Contracted Service Providers | Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners; shareholding information; BBBEE information |
| Employees / Directors | Gender; pregnancy; marital status; colour, race; age; language; education information; financial information; employment history; ID number; physical and postal address; contact details; opinions; criminal record; well-being; |

15.3. Categories for recipient for processing the Personal Information:

Invicta may share the Personal Information with its agents, affiliates, and associated companies who may use this information to send the Data Subject information on products and services. It may also supply the Personal Information to any party to whom it may have assigned or transferred any of its rights or obligations under any agreement, and/or to service providers who render the following services:

- 15.3.1. Capturing and organising of data;
- 15.3.2. Storing of data;
- 15.3.3. Sending of emails and other correspondence to customers;
- 15.3.4. Conducting due diligence checks;
- 15.3.5. Administration of the Medical Aid and Pension Schemes.

15.4. **Actual or Planned Trans-border Flows of Personal Information:**

Personal Information may be transmitted trans-border to Invicta's authorised dealers and its suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. Invicta will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

15.5. **Retention of Personal Information Records:**

Invicta may retain Personal Information records indefinitely, unless the Data Subject objects thereto. If the Data Subject objects to indefinite retention of its Personal Information. Invicta shall retain the Personal Information records to the extent permitted or required by law.

15.6. **General Description of Information Security Measures:**

Invicta employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:

15.6.1. Firewalls

- Virus protection software and update protocols
- Logical and physical access control;

15.6.2. Secure setup of hardware and software making up the IT infrastructure;

- Outsourced service providers who process Personal Information on behalf of Invicta are contracted to implement security controls.

15.7. **Objection to processing of personal information in terms of POPIA:**

The Data Subject may object to processing of its Personal Information at any time by completing **Annexure "D"** – Form 1 attached hereto and by sending an email to the Deputy Information Officer appointed, details on Deputy Information Officer found at www.invictaholdings.co.za.

The Data Subject may request reasonable assistance free of charge to make any request, or objection on any form supplied, by contacting the following Deputy Information Officer appointed, details on Deputy Information Officer found at www.invictaholdings.co.za.

15.8. **Request for correction or deletion of personal information or destroying/ destruction thereof in terms of POPI Act:**

The Data Subject may request for correction or deletion or personal information or destroying /destruction or deletion of a record of personal information at any time by completing **Annexure "E"**– Form 2, attached hereto and by sending it

to the Deputy Information Officer appointed, details on Deputy Information found at www.invictaholdings.co.za.

The Data Subject may request reasonable assistance free of charge to make any request, or objection on any form supplied, by contacting the following Deputy Information Officer appointed, details on Deputy Information found at www.invictaholdings.co.za.

15.9. Withdrawal of Consent in terms of POPI Act:

The Data Subject may withdraw consent to process your personal information at any time by completing **Annexure “F”** – Form 3, attached hereto and by sending it to the Deputy Information Officer appointed, details on Deputy Information found at www.invictaholdings.co.za.

The Data Subject may request reasonable assistance free of charge to make any request, or objection on any form supplied, by contacting the following Deputy Information Officer appointed, details on Deputy Information Officer found at www.invictaholdings.co.za.

15.10. Complaints in terms of POPI Act:

The Data Subject may lodge a complaint with the Regulator at the address and contact particulars set out below in clause 11.

A complaint with the Regulator may be about an interference with the protection of the Data Subject's personal information with regards to the following:

- A breach of any of the conditions for lawful processing of POPI Act; or
- Non-compliance with sections 22, 54, 69, 70, 71, 72 of POPI Act; or
- A breach of a condition of a code of conduct in terms of section 60 of POPI Act.

The Data Subject may also lodge a complaint with the responsible party by contacting the Deputy Information Officer appointed, details on Deputy Information Officer will be found at www.invictaholdings.co.za.

The Data Subject may also lodge complaint with the Regulator in terms of section 63(3) if unhappy about the determination of an adjudicator as appointed by the Regulator, after the Regulator has investigated the Data Subject's complaint, by using form 5.

The determination will have effect, until such time that the Regulator changes or overrules the determination post the Data Subject's complaint.

The complaint to the Regulator must be made in writing and should the Data Subject experience any problems, he/she may contact the office of the Regulator who will provide the Data Subject with reasonable assistance to make the complaint in writing.

The Regulator has the following powers when a complaint is lodged:

- Consult with the responsible party and with the complainant;
- Investigate the complaint by gathering information through subpoenas and warrants or search premises;
- Summons people to appear and testify or compel them to provide written evidence;
- Conduct private interviews with people;
- Conduct any enquiry she sees fit;
- Resolve the complaint by means of dispute resolution such as mediation and conciliation;
- Apply for fines and penalties to be ordered by a competent court as set out in section 107 and 109 of POPIA;
- Refer the matter to an enforcement committee and issue enforcement notices or information notices; and
- Institute civil action for damages.

Approved by: Chief Executive Officer

Date: 30 June 2021

ANNEXURE A – INVICTA SUBSIDIARIES/DIVISIONS

For all Invicta Holdings subsidiaries/divisions, refer to latest published Annual Financial Statements on www.invictaholdings.co.za.

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

| |
|--|
| |
| |
| |
| |

(Address)

E-mail address:

Fax number:

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

| PERSONAL INFORMATION | | | |
|---|-----------|--|------------|
| Full Names | | | |
| Identity Number | | | |
| Capacity in which request is made <i>(when made on behalf of another person)</i> | | | |
| Postal Address | | | |
| Street Address | | | |
| E-mail Address | | | |
| Contact Numbers | Tel. (B): | | Facsimile: |
| | Cellular: | | |
| Full names of person on whose behalf request is made <i>(if applicable)</i> : | | | |
| Identity Number | | | |
| Postal Address | | | |

| | | | |
|--|----------|--|-----------|
| Street Address | | | |
| E-mail Address | | | |
| Contact Numbers | Tel. (B) | | Facsimile |
| | Cellular | | |
| PARTICULARS OF RECORD REQUESTED | | | |
| <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i> | | | |
| Description of record or relevant part of the record: | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Reference number, if available | | | |
| Any further particulars of record | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| TYPE OF RECORD <i>(Mark the applicable box with an "X")</i> | | | |
| Record is in written or printed form | | | |
| Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i> | | | |
| Record consists of recorded words or information which can be reproduced in sound | | | |
| Record is held on a computer or in an electronic, or machine-readable form | | | |

FORM OF ACCESS
(Mark the applicable box with an "X")

| | |
|--|--|
| Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i> | |
| Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i> | |
| Transcription of soundtrack <i>(written or printed document)</i> | |
| Copy of record on flash drive <i>(including virtual images and soundtracks)</i> | |
| Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i> | |
| Copy of record saved on cloud storage server | |

MANNER OF ACCESS
(Mark the applicable box with an "X")

| | |
|---|--|
| Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i> | |
| Postal services to postal address | |
| Postal services to street address | |
| Courier service to street address | |
| Facsimile of information in written or printed format <i>(including transcriptions)</i> | |
| E-mail of information <i>(including soundtracks if possible)</i> | |
| Cloud share/file transfer | |
| Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i> | |

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

| | |
|--|--|
| Indicate which right is to be exercised or protected | |
| | |
| | |

| | |
|--|--|
| Explain why the record requested is required for the exercise or protection of the aforementioned right: | |
| | |
| | |

| FEEES | |
|--------------|--|
| a) | <i>A request fee must be paid before the request will be considered.</i> |
| b) | <i>You will be notified of the amount of the access fee to be paid.</i> |
| c) | <i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i> |
| d) | <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i> |
| Reason | |
| | |
| | |

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal address | Facsimile | Electronic communication <i>(Please specify)</i> |
|----------------|-----------|---|
| | | |

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

| | |
|--|--|
| Reference number: | |
| Request received by: <i>(State Rank, Name And Surname of Information Officer)</i> | |
| Date received: | |
| Access fees: | |
| Deposit (if any): | |

Signature of Information Officer

ANNEXURE C:

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE
 [Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

| | |
|---|--|
| Personal inspection of information at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B. | |
|---|--|

OR

2. You requested:

| | |
|---|--|
| Printed copies of the information (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>) | |
| Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>) | |
| Transcription of soundtrack (<i>written or printed document</i>) | |
| Copy of information on flash drive (<i>including virtual images and soundtracks</i>) | |
| Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>) | |
| Copy of record saved on cloud storage server | |

3. To be submitted:

| | |
|---|--|
| Postal services to postal address | |
| Postal services to street address | |
| Courier service to street address | |
| Facsimile of information in written or printed format (<i>including transcriptions</i>) | |
| E-mail of information (<i>including soundtracks if possible</i>) | |
| Cloud share/file transfer | |
| Preferred language: (<i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i>) | |

Kindly note that your request has been:

Approved

Denied, for the following reasons:

| |
|--|
| |
|--|

4. Fees payable with regards to your request:

| Item | Cost per A4-size page or part thereof/item | Number of pages/items | Total |
|---|--|-----------------------|-------|
| Photocopy | | | |
| Printed copy | | | |
| For a copy in a computer-readable form on: | | | |
| (i) Flash drive | R40.00 | | |
| • To be provided by requestor | | | |
| (ii) Compact disc | R40.00 | | |
| • If provided by requestor | | | |
| • If provided to the requestor | R60.00 | | |
| For a transcription of visual images per A4-size page | Service to be outsourced. Will depend on the quotation of the service provider | | |
| Copy of visual images | | | |
| Transcription of an audio record, per A4-size | R24.00 | | |
| Copy of an audio record | | | |
| (i) Flash drive | R40.00 | | |
| • To be provided by requestor | | | |
| (ii) Compact disc | R40.00 | | |
| • If provided by requestor | | | |
| • If provided to the requestor | R60.00 | | |
| Postage, e-mail or any other electronic transfer: | Actual costs | | |
| TOTAL: | | | |

5. Deposit payable (if search exceeds six hours):

Yes

No

| Hours of search | Amount of deposit (calculated on one third of total amount per request) |
|-----------------|--|
| | |

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer

ANNEXURE D:**FORM 1****Objection to processing of Personal Information in terms of Section 11(3) of the Protection Of Personal Information Act, 2013 (Act No 4 of 2013)****REGULATIONS RELATING TO THE PROTECTION FOR PERSONAL INFORMATION, 2017 (REGULATION 2(1))***Note:*

1. *Affidavits or other documentary evidence in support of the objection must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

| A | DETAILS OF DATA SUBJECT | |
|--|---|--|
| Name and surname of data subject: | | |
| Residential, postal or business address: | | |
| | | |
| | Code () | |
| Contact number(s): | | |
| Fax number: | | |
| E-mail address: | | |
| B | DETAILS OF RESPONSIBLE PARTY | |
| Name and surname of responsible party(<i>if the responsible party is a natural</i>): | | |
| Residential, postal or business address: | | |
| | | |
| | Code () | |
| Contact number(s): | | |
| Fax number: | | |
| E-mail address: | | |
| Name of public or private body(<i>if the responsible party is not a natural person</i>): | | |
| Business address: | | |
| | | |
| | Code () | |
| Contact number(s): | | |
| Fax number: | | |
| Email address: | | |
| C | REASONS FOR OBJECTION (please provide detailed reasons for the objection) | |
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Signed atthis day of 20.....

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Signature of data subject (applicant)

ANNEXURE E:

FORM 2

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR
DESTROYING OR DELETION OF RECORD OF PERSONAL
INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF
PERSONAL INFORMATION ACT, 2013 (ACT NO.
4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL
INFORMATION, 2018 (Regulation 3(2))**

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

| A | DETAILS OF THE DATA SUBJECT |
|---|------------------------------|
| Name(s) and surname / registered name of data subject: | |
| Unique identifier/ Identity Number: | |
| Residential, postal or business address: | |
| | Code () |
| Contact number(s): | |
| Fax number/E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |
| Name(s) and surname / registered name of responsible party: | |
| Residential, postal or business address: | |
| | Code () |
| Contact number(s): | |
| Fax number (s) | |
| Email address: | |
| Name of public or private body (if the responsible party is not a natural | |

| | |
|---------------------|---|
| person): | |
| | |
| Business address: | |
| Contact number (s): | |
| Fax number: | |
| E-mail address: | |
| C | REASONS FOR CORRECTION OR DELETION OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT / DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY. (please provide detailed reasons for the request) |
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* *Delete* whichever is not applicable

Signed at this day of 20.....

.....
Signature of Data subject

ANNEXURE F:

FORM 3

REQUEST FOR WITHDRAWAL OF CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF

SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

Note:

1. *Affidavits or other documentary evidence in support of the request must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

I wish to withdraw my consent for the collection, use and disclosure (processing) of personal information provided to your company for:

Mark the appropriate box with an "x":

Request for:

All the purposes I had provided my consent for; **or**

For only the following purposes:

State the purpose of withdrawal to be applied to:

.....

.....

.....

.....

I fully understand and agree that the withdrawal of my consent to any or all purposes – depending on the nature of my request – may result in the responsible party not being in a position to continue to provide services, products etc. to me.

| A | DETAILS OF DATA SUBJECT |
|--|-------------------------------------|
| Data Subject Surname | |
| Identity Number | |
| Residential, postal or business address: | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number: | |
| E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |
| Name and surname of responsible party <i>(if the responsible party is a natural)</i> : | |
| Residential, postal or business address: | |
| | |
| | |

| | | |
|--|--|----------|
| | | Code () |
| Contact number(s): | | |
| Fax number: | | |
| E-mail address: | | |
| Name of public or private body (if the responsible party is not a natural person): | | |
| Business address: | | |
| | Code () | |
| Contact number(s): | | |
| Fax number: | | |
| Email address: | | |
| C | REASONS FOR THE WITHDRAWAL OF CONSENT TO PROCESS PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY (please provide detailed reasons for the request) | |
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| | | |

* **Delete** whichever is not applicable

Signed at this day of 20.....

.....
Signature of Data subject