

EXTERNAL PRIVACY STATEMENT

1 PURPOSE OF THIS STATEMENT

- 1.1 BASF Catalysts South Africa Proprietary Limited (Registration Number: 2022/663474/07) (**BASF Catalysts South Africa**) is committed to protecting your Personal Information by handling it responsibly and safeguarding it by implementing appropriate and reasonable technological and organisational security measures.
- 1.2 This Privacy Statement (**Statement**) explains our approach to any Personal Information that we collect from you or which we have obtained about you from a third party and the purposes for which we process your Personal Information.
- 1.3 This Statement will inform you of the nature of your Personal Information that is processed by us and how your Personal Information may be processed by us as well as the third parties to whom your Personal Information may be provided and your rights in relation to your Personal Information, including the right to request that we delete, update, and/or provide you with access to your Personal Information, subject to applicable laws.
- 1.4 This Statement sets out how your Personal Information will be used by BASF Catalysts South Africa and applies to any information, including Personal Information and Special Personal Information, you give to BASF Catalysts South Africa or which BASF Catalysts South Africa may collect from third parties.
- 1.5 It is important that you read this Statement carefully before submitting any Personal Information to BASF Catalysts South Africa or before using our webpage or services where your Personal Information may be collected by BASF Catalysts South Africa.
- 1.6 By submitting any Personal Information to BASF Catalysts South Africa you provide consent to the processing of your Personal Information as set out in this Statement. Please do not submit any Personal Information to BASF Catalysts South Africa if you do not agree to any of the provisions of this Statement. Please note that if you do not consent to the provisions of this Statement, or parts of the Statement, BASF Catalysts South Africa may not be able to provide its products and services to you.

2 WHO WE ARE

This Statement applies to BASF Catalysts South Africa Proprietary Limited (Registration Number: 2022/663474/07) (**BASF Catalysts South Africa**) and any other entities within its group of companies who may collect, use, and retain your Personal Information in connection with providing our products and services to you.

3 HOW TO CONTACT US

- 3.1 If you have any comments or questions about this Statement please contact the Information Officer using the following details:

Full name of Company: BASF Catalysts South Africa Proprietary Limited

Physical Address: 425 Struanway, Struandale, Gqeberha, Eastern Cape, 6200

Postal address: PO Box 14259, Sidwell, Gqeberha, Eastern Cape, 6061

Telephone number: 041 401 1000

Name of Information Officer: Zinathi Twaku

Email address: information.officer@basf-catalystsmetals.com

4 Definitions

For the purpose of this Statement:

- 4.1 **"Applicable Laws"** means all laws and regulations that BASF Catalysts South Africa is required to comply with in respect of Personal Information, including POPIA;
- 4.2 **"BASF Catalysts South Africa"** or **"we"** or **"us"** means BASF Catalysts South Africa Proprietary Limited and any other entity in its group of entities, including its associates and affiliated companies;
- 4.3 **"Client"** or **"you"** means any prospective, new or existing client of BASF Catalysts South Africa and its subsidiaries, associates and affiliates and any website users or browsers of this or any BASF Catalysts South Africa affiliate website and/or any mobi-site, software applications or similar;
- 4.4 **"Data Subject"** has the meaning given in POPIA and includes a natural person and juristic person (companies) to whom the Personal Information relates;
- 4.5 **"Information Regulator"** means the supervisory authority in South Africa, established in terms of POPIA;
- 4.6 **"Operator"** means a person who Processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that party;
- 4.7 **"Personal Information"** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-
- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - (b) information relating to the education or the medical, financial, criminal or employment history of the person;
 - (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - (d) the biometric information of the person;
 - (e) the personal opinions, views or preferences of the person;

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- (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - (g) the views or opinions of another individual about the person; and
 - (h) the name of the person if it appears with other Personal Information relating to the person or if the disclosure of the name itself would reveal information about the person;
- 4.8 **"POPIA"** means the Protection of Personal Information Act, 2013, as amended or replaced from time to time and the regulations thereunder;
- 4.9 **"Process", "Processing" or "Processed"** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including-
- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - (b) dissemination by means of transmission, distribution or making available in any other form; or
 - (c) merging, linking, as well as restriction, degradation, erasure or destruction of information;
- 4.10 **"Responsible Party"** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information;
- 4.11 **"Special Personal Information"** means Personal Information concerning-
- (a) the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a Data Subject; and
 - (b) the criminal behaviour of a Data Subject to the extent that such information relates to-
 - (i) the alleged commission by a Data Subject of any offence; or
 - (ii) any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings.

5 WHY DO WE COLLECT YOUR PERSONAL INFORMATION

We collect your Personal Information in order to best facilitate our interactions with you and as may be necessary for pursuing the legitimate interests of BASF Catalysts South Africa. The purposes for which we may Process your Personal Information are set out in more detail under section 8 below.

6 HOW WE COLLECT INFORMATION

6.1 We may be provided with and/or collect your Personal Information:

- (a) directly or indirectly (through an agent acting on your behalf, or an introducer), by completing an application form for our products or services or requesting further information about our products or services, whether in writing, through our website, over the telephone or any other means; or
- (b) from any regulator, or other third party that may hold such information.

7 WHAT PERSONAL INFORMATION DO WE COLLECT

7.1 We may collect the following information about you:

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- (a) your name, address, contact details, date of birth, place of birth, identity/ registration number, passport number, bank details, financial information and electronic information (including your internet address, domain, activity logs, unique identifiers and geo-locations);
 - (b) records of correspondence or enquiries from you or anyone acting on your behalf;
 - (c) details of transactions you carry out with us;
 - (d) details of contracts, sales or leases you carry out with us;
 - (e) Special Personal Information, including biometric information, such as images, fingerprints and voiceprints.

7.2 Where you provide us with the Personal Information of third parties you should take steps to inform the third party that you need to disclose their details to us, including telling the third party who we are. We will process their Personal Information in accordance with this Statement.

7.3 The Personal Information we collect may also include Special Personal Information.

7.4 We will typically seek your consent to Process Special Personal Information unless we have an obligation in law to Process such Special Personal Information.

7.5 Save for Personal Information that we are required or permitted by law to collect, all Personal Information provided by you is provided voluntarily. However, if you do not provide the requested information we may not be able to effectively manage the relationship with you and /or our interactions with you.

8 HOW DO WE USE YOUR PERSONAL INFORMATION

8.1 We may use, transfer and disclose your Personal Information as applicable for the purposes of:

- (a) providing you with the products or services and notifying you about important changes to these products or services and to improve or evaluate the effectiveness of BASF Catalysts South Africa's business, products, services or offerings;
- (b) managing your account or relationship and complying with your instructions or requests;
- (c) detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;
- (d) assessing and dealing with complaints and requests;
- (e) operational, marketing, auditing, legal and record keeping requirements;
- (f) verifying your identity or the identify of your beneficial owner;
- (g) transferring or processing your Personal Information outside of the country in accordance with Applicable Laws, including for cloud storage purposes and the use of any of our websites;
- (h) complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government and tax collection agencies;
- (i) recording and/or monitoring your telephone calls and electronic communications to/with BASF Catalysts South Africa in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;
- (j) where you have unsubscribed from certain direct marketing communications, ensuring that we do not send such direct marketing to you again;

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- (k) disclosing your Personal Information to third parties for reasons set out in this Statement or where it is not unlawful to do so. This may include but is not limited to sharing information with credit bureaus and prospective buyers or sellers of our business or assets; and/ or
 - (l) monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from BASF Catalysts South Africa or any of its employees, agents or contractors, including monitoring, recording and using as evidence all telephone communications between you and BASF Catalysts South Africa.

8.2 We may from time to time (and at any time) contact you for market research and about, services, products and offerings available from BASF Catalysts South Africa or our specific associates or affiliated companies, which we believe may be of interest to you, by email, phone, text or other electronic means, unless you have unsubscribed from receiving such communications. You can unsubscribe from receiving such communications by emailing the Information Officer at: information.officer@basf-catalystsmetals.com.

8.3 This Statement may be amended from time to time to include additional purposes for which we wish to Process your Personal Information.

9 WHAT IS OUR LEGAL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION

9.1 We may Process your Personal Information with your consent. We may also Process your Personal Information on the following legal bases:

- (a) where Processing is necessary to carry out actions for the conclusion or performance of a contract to which you are a party;
- (b) where Processing complies with an obligation imposed by law on BASF Catalysts South Africa;
- (c) where Processing protects your legitimate interests;
- (d) where Processing is necessary for pursuing the legitimate interests of BASF Catalysts South Africa or of a third party to whom the information is supplied.

9.2 When Processing your Special Personal Information we will only Process such information where permitted by law and when one or more of the following justifications apply:

- (a) you have consented to the Processing. You may refuse or revoke your consent at any time, but should you not provide the information or revoke your consent then we may not be able to manage the relationship with you and/or provide the products or services to you;
- (b) the Processing is necessary for the establishment, exercise or defence of a right or obligation in law;
- (c) the Processing is to necessary to comply with an obligation of international public law;
- (d) the Processing is for historical, statistical or research purposes to the extent that the propose serves a public interest and the Processing is necessary for the purpose concerned; or it appears to be impossible or would involve a disproportionate effort to ask for your consent, and sufficient guarantees are provided to ensure that the Processing does not adversely affect your individual privacy to a disproportionate extent;
- (e) you have deliberately made the Personal Information public; or
- (f) processing is on the basis of any other justifications under POPIA.

10 WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?

- 10.1 Your Personal Information may be shared with entities within BASF Catalysts South Africa's group of companies, employees, our agents and sub-contractors, and contractors and selected third parties who process the information on our behalf.
- 10.2 We may also disclose your Personal Information to third parties for those reasons recorded in clause 8 above.
- 10.3 If you do not wish us to disclose this information to third parties, please contact us at the contact details set out below. We may, however, not be able to provide products or services to you if such disclosure is necessary.

11 WHERE DO WE TRANSFER YOUR PERSONAL INFORMATION TO?

We may transfer your Personal Information to other entities within BASF Catalysts South Africa's group of companies and affiliated companies as well as other entities and affiliates within the BASF SE group, and as such your Personal Information may be transferred outside South Africa from time to time.

12 HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION FOR?

We shall retain your Personal Information for as long as is reasonably necessary to achieve the purpose for which it was initially collected or such longer retention period that is required or authorised by Applicable Laws, including but not limited to where we need to retain the Personal Information for a lawful purpose such as for purposes of complaints handling, legal processes and proceedings. We may also retain Personal Information for historical, statistical or research purposes provided that there are appropriate safeguards to prevent the Personal Information from being used for any other purpose.

13 HOW DO WE SECURE AND ENSURE THE CONFIDENTIALITY OF YOUR PERSONAL INFORMATION?

- 13.1 We are committed to keeping the Personal Information provided to us secure and we have implemented appropriate information security policies, rules and technical measures to protect the Personal Information that we have under our control from unauthorised access, improper use or disclosure, unauthorised modification and unlawful destruction or accidental loss.
- 13.2 All of our employees and consultants who have access to, and are associated with the Processing of Personal Information, are obliged to respect the confidentiality of such Personal Information.

14 WHAT ARE YOUR RIGHTS IN REGARD TO YOUR PERSONAL INFORMATION?

- 14.1 In terms of POPIA Data Subjects have the following rights:
- (a) To request access to your Personal Information (subject to the grounds of refusal in the Promotion of Access to Information Act, 2000));
 - (b) To request rectification or correction of your Personal Information;
 - (c) To request the destruction or deletion of your Personal Information in certain circumstances including where it is no longer necessary for BASF Catalysts South Africa to process the Personal Information for the purpose it was collected;
 - (d) To object on reasonable grounds to the Processing of your Personal Information (such as where the Processing is on the basis that it protects your legitimate interests or is on the basis

that it is necessary for pursuing the legitimate interests of BASF Catalysts South Africa or a third party to whom the personal data is supplied);

- (e) To object to the processing of your Personal Information for the purposes of direct marketing;
- (f) Not to be subject to a decision which is based solely on the basis of automated Processing of your Personal Information;
- (g) To institute civil proceedings; and
- (h) To withdraw consent (where such consent was obtained and relied on for the purposes of the Processing).

14.2 You also have the right to lodge a complaint with the Information Regulator, the details of which are as follows:

The Information Regulator (South Africa)

JD House

27 Stiemens Street

Braamfontein

Johannesburg

2001

Email: POPIAComplaints@inforegulator.org.za

15 LOG FILES

When you visit our website, even if you do not create an account, we may collect information, such as your IP address, the name of your ISP (Internet Service Provider), your browser, the website from which you visit us, the pages on our website that you visit and in what sequence, the date and length of your visit, and other information concerning your computer's operating system, language settings, and broad demographic information. This information is aggregated and anonymous data and does not identify you specifically. However, you acknowledge that this data may be able to be used to identify you if it is aggregated with other Personal Information that you supply to us. This information is not shared with third parties and is used only within BASF Catalysts South Africa and its affiliated companies on a need-to-know basis. Any individually identifiable information related to this data will never be used in any way different to that stated above, without your explicit permission.

16 COOKIES

16.1 We use cookies. A cookie is a small piece of information stored on your computer or smartphone by the web browser. The two types of cookies used on the website are described below:

- (a) "Session cookies": These are used to maintain a so-called 'session state' and only last for the duration of your use of the website. A session cookie expires when you close your browser, or if you have not visited the server for a certain period of time. Session cookies are required for the Platform to function optimally but are not used in any way to identify you personally.
- (b) "Permanent cookies": These cookies permanently store a unique code on your computer or smart device hard drive in order to identify you as an individual user. No Personal Information is stored in permanent cookies. You can view permanent cookies by looking in the cookies directory of your browser installation. These permanent cookies are not required for the website to work but may enhance your browsing experience.

17 THIRD PARTY LINKS ON THE WEBSITE

- 17.1 The services available through the website, may contain links to other third-party websites, including (but not limited to) social media platforms, payment gateways, appointment scheduling and/or live chat platforms ("Third-Party Websites"). If you select a link to any Third-Party Website, you may be subject to such Third-Party Website's terms and conditions and/or other policies, which are not under our control, nor are we responsible, therefore.
- 17.2 Hyperlinks to Third Party Websites are provided "as is", and we do not necessarily agree with, edit or sponsor the content on Third Party Websites.
- 17.3 We do not monitor or review the content of any Third-Party Website. Opinions expressed or material appearing on such websites are not necessarily shared or endorsed by us and we should not be regarded as the publisher of such opinions or material. Please be aware that we are not responsible for the privacy practices, or content, of other websites, either.
- 17.4 Users should evaluate the security and trustworthiness of any Third-Party Website before disclosing any personal information to them. We do not accept any responsibility for any loss or damage in whatever manner, howsoever caused, resulting from your disclosure to third parties of personal information.

18 PRIVACY OF CHILDREN

- 18.1 This Website and our products or services are intended to be used by persons aged 18 and older. We do not seek to collect information about persons under the age of 18.
- 18.2 No information should be submitted to or posted on the Websites by persons younger than 18 years of age. If such a person submits personal information via the Websites, we shall delete that information as soon as we are made aware of their age and thereafter shall not use it for any purpose whatsoever. If you become aware that any information of this nature has been submitted, you are obliged to inform us immediately.

19 PRIVACY AND INDEMNITY

- 19.1 BASF Catalysts South Africa takes your privacy and the protection of your Personal Information very seriously, and we will only use your Personal Information in accordance with this Statement and Applicable Laws. It is important that you take all necessary and appropriate steps to protect your Personal Information yourself (for example, by ensuring that all passwords and access codes are kept secure).
- 19.2 We have implemented reasonable technical and operational measures to keep your Personal Information secure.
- 19.3 You hereby indemnify and hold BASF Catalysts South Africa harmless from any loss, damages or injury that you may incur as a result of any unintentional disclosures of your Personal Information to unauthorised persons or the provision of incorrect or incomplete Personal Information to BASF Catalysts South Africa.

20 CHANGES TO THIS PRIVACY STATEMENT

- 20.1 We may amend this Statement from time to time for any of the following reasons:
- (a) to provide for the introduction of new systems, methods of operation, services, products, property offerings or facilities;
 - (b) to comply with changes to any legal or regulatory requirement;

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- (c) to ensure that our Statement is clearer and more favourable to you;
 - (d) to rectify any mistake that may be discovered from time to time; and/or
 - (e) For any other reason which BASF Catalysts South Africa, in its sole discretion, may deem reasonable or necessary.

20.2 Where it is practicable, we will notify you of any significant changes. Any such amendment will come into effect and become part of any agreement you have with BASF Catalysts South Africa when notice is given to you of the change by publication on our website. It is your responsibility to check the website often.

20.3 To ensure that you are always aware of how we use your Personal Information we encourage you to review this Privacy Statement periodically.