

PAIA MANUAL

in terms of the
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF
2000
“PAIA”
incorporating provisions contained in the
PROTECTION OF PERSONAL INFORMATION ACT 4 OF
2013
“POPIA”
IN RESPECT OF

MARKSTRAAT FINANCE CC
REGISTRATION NUMBER 1995/034431/23
TRADING AS
NATIONAL TRAILER RENTAL

PART A

PAIA MANUAL

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PART B

PRIVACY POLICY

1. INTRODUCTION

- 1.1 The Promotion of Access to Information Act 2 of 2000 ('the Act') also referred to as "PAIA" came into operation on 9 March 2001 and gives effect to the constitutional right of access to information that is enshrined in section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa, No. 108 of 1996 ('the Constitution'). Section 32 of the Constitution provides that everyone has the right to access any information held by the state or by another person, where such information is required for the exercise or protection of any legitimate rights and actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights.
- 1.2 The Act accordingly requires that procedures be put in place by public and private bodies to enable persons to obtain access to records swiftly, affordably and effortlessly. In terms of the Act, a private body includes juristic entities such as companies, close corporations and also includes partnerships and sole proprietors. The Protection of Personal Information Act 4 of 2013, ("POPIA") on the other hand regulates, and *inter alia*, how Personal Information held, received, used and disseminated by a body or person in connection with another party / person is protected and the consent therefor required.
- 1.3 In terms of section 51 of the Act, all private bodies are required to compile an information manual ('PAIA Manual') that provides information on the types and categories of records held by a public or private body and the process that must be followed when requesting information related to such records and information.
- 1.4 Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements, except where the Act expressly provides that the information may be adopted when requesting information from a public or private body.
- 1.5 This document serves as the information manual of MARKSTRAAT FINANCE CC trading as NATIONAL TRAILER RENTAL as required in terms of the Act.

2. MARKSTRAAT FINANCE CC - Particulars: -

- 2.1 Markstraat Finance CC is a South African Close Corporation with registration number: 1995/034431/23. The sole member of Markstraat Finance is Carel Hendrik Buitendag.

The core business of Markstraat Finance CC is the operating of trailer rental franchises and limited franchises under the trade names: National Trailer Rental. Markstraat Finance CC is the franchisor in respect of the said franchises.

The franchises are separately owned and are separate legal entities and businesses.

A list and particulars of the Franchises (branches) is available on our website and are listed at the end of this PAIA manual.
- 2.2 This, the PAIA Manual of Markstraat Finance CC, is available on National Trailer Rental's website www.natrail.co.za and available for inspection, free of charge, at its business premises, 57 Shield Drive, Wapadrand, Pretoria, Gauteng, Republic of South Africa.

3. Contact details [Section 51(1)(a) of the Act] - PAIA

Name of body: MARKSTRAAT FINANCE CC

Close Corporation registration number: 1995/034431/23

Physical address: 57 Shield Drive, Wapadrand, Pretoria, Gauteng, Republic of South Africa.

Postal address: Private Box 57, The Glades, 0050, Pretoria, Gauteng, Republic of South Africa.

Landline number: + 27(0) 12 807 3263

Mobile number: +27 (0) 83 700 4015

Email address: chb@icon.co.za

Website: www.natrail.co.za

Information Officer: Carel Hendrik Buitendag – (CEO / Sole member) and Head of the Private Body.

4. PAIA Manual – Purpose of the Act (PAIA)

4.1 The purpose of the Act is to promote the right of access to information, to promote and foster a culture of transparency and accountability within Markstraat Finance CC by granting the right to information that is required for the exercise or protection of any legitimate right and to actively promote a society in which the citizens of South Africa have effective access to information to enable them to exercise and protect their rights – which includes the rights of minor children.

4.2 In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and private bodies.

4.3 Limitation of Rights: Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

4.3.1 Limitations aimed at the reasonable protection of privacy; and

4.3.2 Commercial confidentiality; and

4.3.3 Effective, efficient and good governance; and

4.3.4 In a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

4.4 This PAIA Manual complies with the requirements of the guide mentioned in section 10 of the Act and recognises that upon commencement of the Protection of Personal Information Act, 4 of 2013 (POPI), that the appointed Information Regulator will be responsible to regulate compliance with the Act and its regulations by private and public bodies.

This PAIA Manual must be read in conjunction with our **Privacy Policy – Part B** to this manual.

5. Information Officer

- 5.1 The head of a private body in terms of section 51(1) and (2) of the Act, fulfils the function of compiling and updating the private body's PAIA Manual.
- 5.2 The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the POPI Act. The Information Officer oversees the function and responsibilities as required in terms of both PAIA and section 55 of the POPI Act after registering with the Information Regulator.
- 5.3 The Information Regulator may where it is deemed necessary, appoint a deputy Information Officer, as allowed for in section 17 of the Act as well as section 56 of the POPI Act. All requests for access to information in terms of the Act must be addressed to the Information Officer.

- 5.4 Carel Hendrik Buitendag has appointed the following individual as the Information Officer who will be responsible for dealing with requests for records and information:

Information Officer: Mr Carel Hendrik Buitendag - CEO

Physical address: 57 Shield Drive, Wapadrand, Pretoria, Gauteng, Republic of South Africa.

Postal address: Private Box 57, The Glades, 0050, Pretoria, Gauteng, Republic of South Africa.

Landline number: + 27(0) 12 807 3263

Mobile number: +27 (0) 83 700 4015

Email address: chb@icon.co.za

Website: www.natrail.co.za

6. Section 10 Guide

- 6.1 A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission – (“SAHRC”). It contains information on how to access and request information required by a person wishing to exercise any right, contemplated by PAIA.
- 6.2 The Guide is available for inspection, inter alia, at the office of the offices of the Human Rights Commission at Braampark Forum 3, 33 Hoofd St, Braampark, Johannesburg, 2017, Gauteng, South Africa and:

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

Postal address: Private Bag 2700, Houghton, Gauteng, South Africa, 2041

Telephone: +27 (0)11 877 3600

- 6.3 From 1 July 2021 the contact details will be for: -

Information Regulator South Africa

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

P.O Box 31533, Braamfontein, Johannesburg, 2017

General enquiries email: infoereg@justice.gov.za.

Complaints: complaints.IR@justice.gov.za

7. Records available in accordance with other legislation [Section 51(1)(c)]

7.1 Records are kept in accordance with such other legislation as is applicable to Markstraat Finance CC which includes, but is not limited to the following legislation:

7.1.1 Promotion of Access to Information Act 2 of 2000

7.1.2 Basic Conditions of Employment Act 75 of 1997

7.1.3 Competition Act 89 of 1998

7.1.4 Financial Intelligence Centre Act 36 of 2000

7.1.5 Income Tax Act 95 of 1967

7.1.6 Insolvency Act 24 of 1936

7.1.7 Labour Relations Act 66 of 1995

7.1.8 National Credit Act 34 of 2005

7.1.9 Occupational Health and Safety Act 85 of 1993

7.1.10 Trademarks Act 194 of 1993

7.1.11 Unemployment Contributions Act 4 of 2002

7.1.12 Unemployment Insurance Act 63 of 2001

7.1.13 Value-Added Tax Act 89 of 1991

7.1.14 Protection of Personal Information Act 4 of 2013

7.1.15 National Road Traffic Act 93 of 1996

8. [Section 51(1)(d)] - Subjects and categories of records held

8.1 The records referred to below indicate the categories of information that Markstraat Finance CC holds. The information is classified, confidential and grouped according to records relating to the following subjects and categories:

8.1.1 Human resources records: -

8.1.1.1 Personal records provided by employees and staff members of Markstraat Finance CC

8.1.1.2 Salary records

8.1.1.3 Conditions of employment and other personnel-related contractual and quasi-legal records

8.1.1.4 Internal evaluation records

8.1.1.5 UIF records

8.1.1.6 PAYE records

- 8.1.1.7 Leave records
- 8.1.1.8 Training records
- 8.1.1.9 Human Resources policies and procedures
- 8.1.2 Customer-related records: -
 - 8.1.2.1 Records provided by a customer/client /
 - 8.1.2.2 Records generated internally by or within Markstraat Finance CC relating to customer/clients including transactional records
 - 8.1.2.3 Contractual records
- 8.1.3 Financial records: -
 - 8.1.3.1 Annual reports
 - 8.1.3.2 Management reports
 - 8.1.3.3 VAT returns
 - 8.1.3.4 Income tax returns and assessments
 - 8.1.3.5 Invoices
 - 8.1.3.6 Receipts
 - 8.1.3.7 Asset records
 - 8.1.3.8 Insurance policies and claims
- 8.1.4 Company information: -
 - 8.1.4.1 Trademarks
 - 8.1.4.2 Databases
 - 8.1.4.3 Information Technology
 - 8.1.4.4 Marketing records
 - 8.1.4.5 Internal correspondence
 - 8.1.4.6 Operational records
 - 8.1.4.7 Product-related records
 - 8.1.4.8 Internal policies and procedures
 - 8.1.4.9 Compliance records
 - 8.1.4.10 Minutes of meetings (including resolutions taken)
 - 8.1.4.11 Contractual records and information relating to suppliers, service providers, contractors, professional advisors (such as attorneys and auditors) and financiers.
- 8.1.5 Products and services: -
 - 8.1.5.1 Product specifications

8.1.5.2 Product documentation (including trailer rental agreements)

8.2 The accessibility of the records may be subject to the grounds of refusal set out in the Act. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal and legislative requirements, before Markstraat Finance CC will consider access.

9. Purpose for processing of personal information

9.1 Markstraat Finance CC holds, processes, utilizes and disseminates personal information for the following specific, and lawful reasons:

- 9.1.1 to initiate recruitment of and the management of employees and staff members
- 9.1.2 to comply with relevant legislation governing employees
- 9.1.3 to monitor and manage Markstraat Finance CC's client base
- 9.1.4 to engage with contractors and service providers
- 9.1.5 for marketing and event purposes
- 9.1.6 to comply with all relevant legislation
- 9.1.7 to operate its business and franchises

10. Data Subjects / Categories and their Personal Information

10.1 The following categories of data subjects' personal information are held, received, compiled and/or used and/or processed and/or disseminated (as the case may be) by Markstraat Finance CC:

- 10.1.1 Employees: records of employees' term of employment
- 10.1.2 Service providers: records of service providers
- 10.1.3 Customers/Clients: records of customers/clients
- 10.1.4 General public: Managing, answering, and responding to general enquiries.

11. Recipients of personal information

- 11.1 Statutory authorities
- 11.2 Law enforcement
- 11.3 Tax authorities
- 11.4 Financial institutions
- 11.5 Medical schemes
- 11.6 Employee pension and provident funds
- 11.7 Industry bodies

12. Trans-border flows of Personal Information

Markstraat Finance CC may transfer data / personal information trans-border in order to store Data with third party cloud/ internet / data storage providers, but do so always in accordance with applicable legislation regarding data protection.

13. Security measures to protect personal information

13.1 Markstraat Finance CC has implemented numerous security measures to protect personal information processed by Markstraat Finance CC as the Responsible Party in terms of the POPI Act, No. 4 of 2013, which include but are not limited to the following: -

13.1.1 Physical security measures (Offices are equipped with Armed Response alarm systems /Records are kept under Lock and Key – available to authorized persons only for authorized reasons)

13.1.2 Cyber security measures / Regular change of passwords and firewalls

13.1.3 Markstraat Finance CC has Access to specialists in cyber security and has policies regarding information security in place.

14. [Section 51(e)] – PAIA - How to make a request for access to information

14.1 The requester must complete Form C (Appendix 1) and submit this form together with a request fee, to the Information Officer of Markstraat Finance CC.

14.2 The form must be submitted to the Information Officer of Markstraat Finance CC at Markstraat Finance CC' address, fax number, or electronic mail address as stated earlier in this, its PAIA Manual.

14.3 Form of request:

14.3.1 The requester (the person seeking information) must use the prescribed form, as attached in terms of Article 8 (PAIA) of this PAIA Manual, when requesting access to a record. The request must be directed to the Information Officer. This request must be made to the address, fax number or electronic mail address of the body (Markstraat Finance CC) concerned, see [s 53(1)] – PAIA.

14.3.2 The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record / information required and the identity / details of the requester.

14.3.3 The requester should indicate in which format the access to the information requested is required.

14.3.4 The requester should indicate if any other manner and/or format is to be used to inform the requester regarding the information required and state the necessary particulars how to be informed [s 53(2)(a) and (b) and (c)] – PAIA.

- 14.3.5 The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)] – PAIA.
- 14.3.6 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request on behalf of such other person and to the satisfaction of the designated head of the private body [s 53(2)(f)] – PAIA.
- 14.3.7 A requester who seeks access to a record containing personal information about that requester's own personal information, is not required to pay the request fee.
- 14.3.8 Every other requester, who is not a personal requester, must pay the fee.
- 14.3.9 The information officer of Markstraat Finance CC must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)] – PAIA.
- 14.3.10 The fee that the requester must pay to a private body is currently R50,00. The requester may lodge an application to the court against the tender or payment of the request fees 54(3)(b)] – PAIA.
- 14.3.11 After the Information Officer of Markstraat Finance CC has decided on the request, the requester must be notified in the required form and format.
- 14.3.12 On granting of the request to information, a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)] – PAIA.

15. Availability of this PAIA Manual

This PAIA Manual is available for inspection at the offices of Markstraat Finance CC free of charge and on its Website.

16. [Section 51(1(f)] – PAIA – Fees

- 16.1 The requester is the person making the request for access to information of a record. The Act mentions two types of requesters: -
- 16.1.1 Personal requester: A person who requests access to his/her own personal information.
- 16.1.2 Other requester: A person requesting access to information of third parties.
- 16.2 The following fees are payable when making a request for information:
- 16.2.1 Request fee: Standard fee payable by other requesters, but not payable by personal requesters, payable at the time that the request is made.
- 16.2.2 Access fee: Payable in all instances where a request for access is granted unless payment of the access fee is specifically excluded in terms of the Act or any regulations published pursuant to the Act. This fee is calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs, as the case may be.

- 16.3 The Information Officer may require that requesters pay a deposit in respect of the access fee at the time of making the request. If the request is subsequently declined, the deposit will be refunded.
- 16.4 If a request fee and/or a deposit is payable, the Information Officer will not process the request until payment thereof has been made.
- 16.5 If a request for information is granted, the Information Officer will advise the requester of the amount of the access fee payable before the record will be released.
- 16.6 Bank account details for purposes of making payments can be obtained from the Information Officer and may be made by way of a direct deposit into the designated bank account or by way of a bank guaranteed cheque.
- 16.7 Appendix 2 hereto sets out the amounts payable in respect of the prescribed fees. Request for access to record of private body (POPI Act: Form C).

FORM C – APPENDIX 1

ACCESS TO INFORMATION REQUEST FORM	
Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) [Regulation 10]	
1. PARTICULARS OF PRIVATE BODY	
Requests can be submitted either via conventional mail or e-mail, and should be addressed to the relevant contact person as indicated below:	
Name of Body:	Markstraat Finance CC
Information Officer:	Mr Carel Hendrik Buitendag – CEO – Head of Private Body
Email address: chb@icon.co.za attention: (Information Officer)	
or	
Postal address: Private Box 57, The Glades, 0050, Pretoria, Gauteng, Republic of South Africa.	
2. PARTICULARS OF REQUESTER (If a Natural Person)	
(a)	Particulars of the person who requests access to the record must be recorded below.
(b)	Furnish a postal address and/or an email address and/or fax number in the Republic to which information must be sent.
(c)	Proof of the capacity in which the request is made, if applicable, must be attached.
FULL NAMES AND SURNAME	IDENTITY NUMBER

POSTAL ADDRESS & CODE	EMAIL ADDRESS
PHONE NUMBER	FAX NUMBER

PARTICULARS OF REQUESTER (If a Legal Entity)

- (a) Particulars of the entity that requests access to the record must be recorded below.
- (b) Furnish a postal address and/or an email address and/or fax number in the Republic to which information must be sent.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Name of entity: _____

Registration number: _____

Postal address: _____

Postal code: _____

Phone number: _____

Fax number: _____

Email address: _____

3. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must only be completed if a request for information is made on behalf of another person.

Full names and surname: _____

Identity number:

3. PARTICULARS OF RECORD

- (a) Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.

The requester must sign all the additional folios.

Description of record or relevant part of the record:

REFERENCE NUMBER IF AVAILABLE:

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ANY FURTHER PARTICULARS OF RECORDS:

4. FEES

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a non-refundable request fee of R50-00 has been paid per request.
- (b) 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 the record.
- (c) You will be notified of the required amount to be paid as the access fee.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

5. FORM OF ACCESS TO RECORD

Form in which record is required. Mark the appropriate box with an X

NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused under certain circumstances. In such a case you will be informed whether access will be granted in another form.
- (c) The fee payable for access to record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

Copy of record*

Inspection of record

2. If record consists of visual images
(this includes photographs, slides, video recordings, computer-generated images, sketches etc.)

View the images Copy of the images* Transcription of the images*

3. If the record consists of recorded information that can be reproduced in sound:

Listen to the soundtrack
(compact disc)

Transcription of soundtrack*
(written or printed document)

4. If the record is held on computer or in an electronic or machine-readable form:

Printed copy of record*

Printed copy of information derived from the record*

Copy in computer readable form
(Memory stick or compact disc)

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? (NB: Postage is payable)

Yes

No

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be e-mailed to you? (NB: depending on the volume, e-mail transmission may not be possible)

Yes

No

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. (Cost of translation may be payable)
In which language would you prefer the record?

7. IN THE EVENT OF DISABILITY

If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for above, state your disability and indicate in the form in which the record is required.

State form of Disability:

Form in which record is required: _____

8. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

1. Indicate which right is to be exercised or protected:

1. Explain why the record requested is required for exercise or protection of the aforementioned right:

9. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/ denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request. How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20 _____

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

Appendix 2: SCHEDULE OF FEES

The applicable fees are as follows:

Reproduction fees:	
For every photocopy of an A4 size paper of part thereof	R1,10
For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine-readable form	R0,75
For a copy in a computer-readable form on stifty disc	R7,50
For a copy in a computer-readable form on a stifty disc compact disc	R70,00
A transcription of visual images, for an A4 size page or part thereof	R40,00
For a copy of visual images	R60,00
Where a requester Request fees (for requests on behalf on behalf of another person submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable upfront before the institution will further process the request	
Access fees fee	R50,00
For every photocopy of an A4 size paper or part thereof	R1,10
For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine-readable form	R0,75
For a copy in a computer-readable form on stifty disc	R7,50

For a copy in a computer-readable form on a stiffy disc compact disc	R70,00
A transaction of visual images, for an A4 size page or part thereof	R40,00
For a copy of visual images	R60,00
To search for a record that must be disclosed, R30,00 for every hour or part of an hour reasonably required for such search	R30,00
Where a copy of a record needs to be posted the actual postal fee is payable	
<p>Deposits</p> <p>Where the institution receives a request for access to information held on a person other than the requester him-/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester. The amount of the deposit is equal to $\frac{1}{3}$ (one third) of the amount of the applicable access fee.</p>	

THUS APPROVED AND SIGNED ON THIS THE ____ DAY OF _____ 2021
BY THE CEO OF MARKSTRAAT FINANCE CC:

CAREL HENDRIK BUITENDAG

PART B

PRIVACY POLICY

MARKSTRAAT FINANCE CC

(Registration Number 1995 / 034431 / 23)

TRADING AS: -

NATIONAL TRAILER RENTAL

USERS: INTERNAL AND EXTERNAL

1. INTRODUCTION

This Privacy Policy sets out how your personal information will be used by MARKSTRAAT FINANCE CC and applies to any information, including personal and special personal information, that you give to MARKSTRAAT FINANCE CC, or which MARKSTRAAT FINANCE CC may collect from third parties.

It is important that you read this Policy carefully before submitting any personal information to MARKSTRAAT FINANCE CC. This Policy should be read together with our PAIA Manual – Part A of this document.

2. CONSENT

By submitting any personal information to MARKSTRAAT FINANCE CC you provide consent to the processing of your personal information as set out in this Policy.

The provisions of this Policy are subject to mandatory, unalterable provisions of Applicable Laws.

Please do not submit any personal information to MARKSTRAAT FINANCE CC if you do not agree to any of the provisions of this Policy. If you do not consent to the provisions of this Policy, or parts of the Policy, MARKSTRAAT FINANCE CC may not be able to provide its products and services to you.

3. Important Definitions and Terms

"Applicable Laws" means local, foreign and international laws, regulations, treaties and codes, for example the Financial Intelligence Centre Act 38 of 2001, the National Credit Act 34 of 2005, the Protection of Personal Information Act 4 of 2013 and the Promotion of Access to Information Act 2 of 2000.

"MARKSTRAAT FINANCE CC" / "NATIONAL TRAILER RENTAL", "we", "us"

"our" means:

MARKSTRAAT FINANCE CC (Registration Number 1995 / 034431 / 23), including any of its Franchises, Affiliates, and Agents. To obtain more information on these Franchises and Agents please consult our PAIA Manual – Part A of this document and/or visit our Website – www.natrail.co.za

"Client" or "you"

means any prospective, new or existing client or employee of MARKSTRAAT FINANCE CC and any of its Franchisees.

"Our Website"

means www.natrail.co.za

4. May we amend this Privacy Policy?

We may amend this Policy from time to time for any of the following reasons:

- to provide for the introduction of new terms of rentals, systems, methods of operation, services, products, offerings or facilities;
- to reflect an actual or expected change in market conditions or general financial services or lending practices;
- to comply with changes to any Applicable Laws;
- to ensure that this Policy is clearer and more favourable to you;
- to rectify any mistake that might be discovered from time to time; and/or
- for any other reason which MARKSTRAAT FINANCE CC, in its sole discretion, may deem reasonable or necessary.

Any such amendment will come into effect and become part of any agreement you have with MARKSTRAAT FINANCE CC when notice is given to you of the change by publication on our website. It is your responsibility to check the website often.

5. Are the MARKSTRAAT FINANCE CC Franchises included in this Privacy Policy?

If you rent a trailer or do business with any of MARKSTRAAT FINANCE CC's franchises and/or otherwise give your information to such entity, you will have a separate relationship with the entity in relation to its use of your personal information. MARKSTRAAT FINANCE CC'S franchises are separate legal entities to MARKSTRAAT FINANCE CC. If you have any queries relating to the concerned Franchise's use of your personal information, you must contact the relevant entity directly. All National Trailer Rental Branches' details are available on its website www.natrail.co.za.

6. Security and privacy measures on MARKSTRAAT FINANCE CC's website – “www.natrail.co.za”

We endeavour to keep our website secure at all times. We do however advise you that we cannot guarantee the security of any information provided to us or by us through our website, email, internet or social media. Because the internet is an open system accessible to anyone in the world, we cannot be held responsible for any loss or unauthorised use or interception of information transmitted via the internet which is beyond our control.

Third party websites

Our website may contain links to other websites outside of MARKSTRAAT FINANCE CC. If you visit these Websites we are not responsible for the content, privacy or security of these or other websites.

Cookies

Cookies are information that is used to track visitor use of a website and to compile statistical reports on website activity. If you wish to restrict or block cookies, you can do this through your browser settings.

Social Plugins

We may use social plugins of social networks such as Facebook, YouTube, LinkedIn, Google+ and Twitter.

Please note that we have no influence on or control over the extent of the data retrieved by the social networks' interfaces and we can accordingly not to be held responsible or liable for any processing or use of personal information transmitted via these social plugins. For information on the purpose and extent of the data retrieval by the social network concerned, and about the rights and settings possibilities for the protection of your private sphere, please refer to the data protection information provided by the social network in question.

7. COLLECTION OF PERSONAL INFORMATION BY MARKSTRAAT FINANCE CC

7.1 We may collect or obtain Personal Information about you -

7.1.1 directly from you; -

7.1.2 in the course of our relationship with you; -

7.1.3 in the course of providing services and our products to you or your organisation; -

7.1.4 when you make your Personal Information public; -

7.1.5 when you visit and/or interact with our Website or our social media platforms; -

- 7.1.6 when you register to use any of our services, buy our products, including but not limited to our products, newsletters and updates; -
- 7.1.7 when you interact with any third party content or advertising on our Website (if any) and/or our various social media platforms; or
- 7.1.8 when you visit our offices.
- 7.2 We may also receive Personal Information about you from third parties (eg, law enforcement authorities);
- 7.3 In addition to the above, we may create Personal Information about you such as records of your communications and interactions with us, including, but not limited to, your attendance at events or at interviews in the course of applying for a job with us, subscription to our newsletters and other mailings and interactions with you during the course of our digital marketing campaigns in any form.
- 7.4 You may provide personal information to us either directly or indirectly, by completing an application for our products and services or requesting further information about our products and services, whether in writing, through our website, over the telephone, through MARKSTRAAT FINANCE CC authorised Franchises or any other means.
- 7.5 From our network of authorised MARKSTRAAT FINANCE CC Franchises.
- 7.6 Occasionally from other third parties who may lawfully pass your information on to us.
- 7.7 Telephone calls to us may be recorded and/or monitored for training and quality assessment purposes.

8. CATEGORIES OF PERSONAL INFORMATION WE MAY PROCESS

We may process the following categories of Personal Information about you -

- 8.1 personal details: name; and photograph;
- 8.2 demographic information: gender; date of birth / age; nationality; salutation; title; and language preferences;
- 8.3 identifier information: passport or national identity number; utility provider details; bank statements; tenancy agreements;
- 8.4 contact details: correspondence address; telephone number; email address; and details of your public social media profile(s);
- 8.5 attendance records: details of meetings and other events organised by or on behalf of MARKSTRAAT FINANCE CC that you may and/or may not have attended;
- 8.6 consent records: records of any consents you may have given, together with the date and time, means of consent and any related information;

- 8.7 payment details: billing address; payment method; bank account number or credit card number; invoice records; payment records; SWIFT details; IBAN details; payment amount; payment date; and records of cheques and EFT payments;
- 8.8 data relating to email correspondence, and or social media platforms, your device type; operating system; browser type; browser settings; IP address; language settings; dates and times of connecting to a Website and/or social media platform, and other technical communications information;
- 8.9 employer details: where you interact with us in your capacity as an employee of an organisation, the name, address, telephone number and email address of your employer, to the extent relevant.
- 8.10 Sensitive or special categories of personal information, including biometric information, such as images, fingerprints and voiceprints.

9. SENSITIVE PERSONAL INFORMATION

Where we need to process your Sensitive Personal Information, we will do so in the ordinary course of our business, for a legitimate purpose, and in accordance with applicable law.

Children's personal information and special personal information

We do not intentionally collect or use personal information of children (persons under the age of 18 years), unless with express consent of a parent or guardian and/or in the capacity as our client the guardian and/or parent of any such child / children or if the law otherwise allows or requires us to process such personal information.

10. PURPOSES OF PROCESSING AND LEGAL BASES FOR PROCESSING

- 10.1 We will process your Personal Information in the ordinary course of our business of providing and advertising our product to you and related services. We will primarily use your Personal Information only for the purpose for which it was originally or primarily collected.

We will use your Personal Information for a secondary purpose only if such purpose constitutes a legitimate interest and is closely related to the original or primary purpose for which the Personal Information was collected. We may subject your Personal Information to processing during the course of various activities, including, without limitation, the following:-

- 10.1.1 operating our business;
- 10.1.2 analysis, evaluation, review and collation of information in order to determine legal issues and potential disputes, prepare or comment on opinions, memoranda, agreements, correspondence, reports, publications, documents relating to legal

proceedings and other documents and records (whether in electronic or any other medium whatsoever) -

10.1.3 compliance with applicable law and fraud prevention;

10.1.4 transfer of information to our Service Providers and other third parties or

10.1.5 recruitment.

10.2 We may process your Personal Information for relationship management and marketing purposes in relation to our services (including, but not limited to, processing that is necessary for the development and improvement of our business and related services), for accounts management, and for marketing activities in order to establish, maintain and/or improve our relationship with you and with our Service Providers. We may also analyse your Personal Information for statistical purposes.

10.3 We may process your Personal Information for internal management and management reporting purposes, including but not limited to: conducting internal audits, conducting internal investigations, implementing internal business controls, providing central processing facilities, for insurance purposes and for management reporting analysis.

10.4 We may Process your Personal Information for safety and security purposes.

11. DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES

11.1 We may disclose your Personal Information to our Associates, Agents and Service Providers, for legitimate business purposes, in accordance with applicable law and subject to applicable professional and regulatory requirements regarding confidentiality. In addition, we may disclose your Personal Information -

11.1.1 if required by law;

11.1.2 legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law and/or regulation;

11.1.3 third party Operators (including, but not limited to, data processors such as providers of data hosting services and document review technology and services), located anywhere in the world, subject to clause 11.2;

11.1.4 where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defence of legal rights;

11.1.5 to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security;

- 11.1.6 to any relevant third party acquirer(s), in the event that we sell or transfer all or any portion of our business or assets (including, but not limited to, in the event of a reorganization, dissolution or liquidation); and
- 11.1.7 to any relevant third party provider, where our social media platforms uses third party advertising, plugins or content.
- 11.2 If we engage a third party Operator to process any of your Personal Information, we recognise that any Operator who is in a foreign country must be subject to a law, binding corporate rules or binding agreements which provide an adequate level of protection similar to POPIA. We will review our relationships with Operators we engage and, to the extent required by any applicable law if force, we will require such Operators to be bound by contractual obligations to -
- 11.2.1 only Process such Personal Information in accordance with our prior written instructions; and
- 11.2.2 use appropriate measures to protect the confidentiality and security of such Personal Information.

12. INFORMATION SAFEGUARDS

Is my information safe with MARKSTRAAT FINANCE CC?

We continuously implement technical and organisational security measures in order to protect the data we hold against unauthorised access as well as accidental or wilful manipulation, loss or destruction.

It is also important that you take all necessary and appropriate steps to protect your personal information yourself (for example, by ensuring that all login details, including passwords and access codes are kept secure).

We take the privacy and protection of your personal information very seriously and will only process your personal information in accordance with the Applicable Laws and this Policy.

Accordingly, MARKSTRAAT FINANCE CC will comply with the relevant data privacy principles or conditions relating to the processing (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) of your personal information set out in Applicable Laws.

MARKSTRAAT FINANCE CC employees attend regular data protection training. Your personal information will only be processed for purposes set out in this Policy or if we are entitled to do so under Applicable Laws.

13. INFORMATION AND DATA RETENTION

May MARKSTRAAT FINANCE CC retain my information?

MARKSTRAAT FINANCE CC shall only retain and store your Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

14. YOUR RIGHTS / RIGHTS OF DATA SUBJECTS

What rights do I have regarding my personal information?

You may have rights under the South African and other laws to have access to your Personal Information and to ask us to rectify, erase and restrict use of your Personal Information. You may also have rights to object to your Personal Information being used, to ask for the transfer of Personal Information you have made available to us and to withdraw consent to the use of your Personal Information. You may, therefore, on reasonable grounds, object to us using your Personal Information. If you object, (on reasonable grounds) we will stop using your personal information, except if the law allows its use. If you wish to exercise this right, please contact us using the contact details set out in our **PAIA Manual** - SEE PART A OF THIS DOCUMENT.

15. THIRD PARTY OPERATORS / SHARING INFORMATION

15.1 May my information be shared with third parties?

We may share your personal information with:

- Other MARKSTRAAT FINANCE CC entities, franchises, our agents and sub-contractors, third parties who process personal information on our behalf and MARKSTRAAT FINANCE CC, companies, franchises or affiliates, in South Africa and in other countries;
- Our authorised MARKSTRAAT FINANCE CC Franchises;
- Our carefully selected business partners, including those who provide products and services under any of our brands;
- Our service providers and agents who perform services on our behalf;
- Any person who has agreed or is considering to provide security for your indebtedness, including any surety, guarantor, potential surety or potential guarantor under any finance document who requests such information to evaluate any actual or potential liability under such suretyship or guarantee;
- A prospective buyer or seller of any of our Franchises, businesses, assets or debt;
- A person who acquires substantially all of the assets of a MARKSTRAAT FINANCE CC franchise;

- Any person if we are under a duty to disclose or share your personal information in order to comply with any Applicable Laws, or to protect the rights, property or safety of MARKSTRAAT FINANCE CC, its clients or other third parties;
- Other lenders or banks, collection agencies, lawyers, accountants, auditors, regulators and law enforcement agencies, to the extent necessary to protect, preserve or enforce MARKSTRAAT FINANCE CC's rights and interests in respect of any agreement or any finance document or to respond to any legal enquiry or to comply with any regulatory obligation;
- Any other MARKSTRAAT FINANCE CC Affiliate and any assignee or potential assignee of MARKSTRAAT FINANCE CC's rights and/or obligations under any agreement or any person with whom any MARKSTRAAT FINANCE CC Affiliate may otherwise consider entering into a contract in relation to a relevant finance document; and
- Your agent or any other person acting on your behalf, an independent financial advisor or an introducer, informing them of the outcome of your application and whether we have agreed to provide you with the product, service or offering you have applied for.
- We may also disclose information about you and your relationship with MARKSTRAAT FINANCE CC to such person throughout the term of that relationship.

15.2 We may disclose your personal information to these third parties for any purpose permitted in terms of Applicable Laws, including to-

- assess and monitor any of your applications for MARKSTRAAT FINANCE CC' products or services, including the risk involved to comply with Applicable Laws;
- determine which products and services may be of interest to you and/or to send you information about such products and services, unless you object or choose not to receive such communications;
- keep your usual contact within MARKSTRAAT FINANCE CC informed of the progress of any new applications for new services or products, and the other way around;
- have a better understanding of your circumstances and needs to provide and improve MARKSTRAAT FINANCE CC's products and services;
- comply with Applicable Laws requiring MARKSTRAAT FINANCE CC and/or any third party to collect personal information;
- identify whether other financial institutions have received payment from you due to us;
- detect and report fraud and criminal activities, to identify the proceeds of unlawful activities and to combat crime;
- use for marketing purposes; and

- make reports to any regulator or supervisory authority, including those in foreign jurisdictions, if MARKSTRAAT FINANCE CC is required to do so in terms of Applicable Laws.

15.3 We do not share your personal information with any third parties, except if:

- we are legally permitted or obliged to provide such information for legal or regulatory purposes;
- we are required to do so for purposes of existing or future legal proceedings;
- we are selling one or more of our businesses to someone to whom we may transfer our rights under any agreement we have with you;
- necessary for purposes of preventing fraud, loss, bribery or corruption;
- they perform services and process personal information on our behalf;
- it is required in order to provide or manage any information, products and/or services to you;
- needed to help us improve the quality of our products and services.

If you do not wish us to disclose this information to third parties, please contact us at the contact details set out herein. We may, however, not be able to provide products or services to you if such disclosure is necessary.

15.4 Can I share information with MARKSTRAAT FINANCE CC on Third Parties?

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 and identify us. We will process their personal information in accordance with this Policy. If you give us information on behalf of someone else, you confirm to us that you have their permission to do so and that they are aware of the contents of this Policy and do not have any objection to us processing their information in accordance with this Policy.

15.5 What is my personal information used for?

Subject to Applicable Laws, we may use your personal information for a variety of purposes, including:

Legal Contractual

- Legal or contractual purposes;
- To manage your contractual arrangement or relationship;
- To detect and prevent fraud and money laundering and/or in the interest of security and crime prevention;
- To conduct sanction party list and politically exposed person screening against any relevant list which MARKSTRAAT FINANCE CC may in its sole discretion determine;
- To verify your identity;

- To comply with applicable laws, including lawful requests for information received from local or foreign law enforcement, government and tax collection agencies;

Marketing & Data Analytics/Enrichment

- Data analytics and/or enrichment;
- To carry out analysis and customer profiling;
- To identify other products and services which might be of interest to you;
- To assess and deal with complaints and requests;
- To conduct market research and provide you with information about MARKSTRAAT FINANCE CC's products or services from time to time via email, telephone or other means (for example, events).
- Where you have unsubscribed from certain direct marketing communications, for the purposes of ensuring that we do not send such direct marketing to you again.

Financial

- To help us recover debts (if and when applicable);
- To request your consumer background reports;
- To use data-check mechanisms when considering providing you with services and products, and verifying any information provided by you and making whatever enquiries we deem necessary from any source whatsoever to establish your information and details;

Operational & Customer Service

- To obtain a single view of a customer for all of MARKSTRAAT FINANCE CC;
- To improve your customer experience;
- To help us improve the quality of our products and services;
- To provide you with the services, products or offerings you have requested, and to notify you about important changes to these services, products or offerings;
- To comply with your instructions or requests;
- For operational, marketing, auditing, legal and record-keeping requirements;
- To transfer or process your personal information outside of the Republic of South Africa to such countries that may not offer the same level of data protection as the Republic of South Africa, including for cloud storage purposes and the use of any of our websites. We will however only transfer your personal information across South African borders if the relevant situation requires trans-border processing and will do so only in accordance with Applicable Laws.
- To record, access and/or monitor your telephone calls and electronic communications to/with MARKSTRAAT FINANCE CC, including all forms of notifications, correspondence received by or sent from MARKSTRAAT FINANCE CC (including its

employees, agents or contractors) in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention and to comply with Applicable Laws;

In circumstances where we wish to protect our legitimate interest, where:

we have exercised our right to terminate the agreement through a proper legal process as a result of default in respect of any of your obligations under an agreement;

or

a court order has been granted in our favour for the return of the trailer;

we may enable vehicle tracking devices to locate the trailer. Such vehicle tracking may involve the processing of your personal information, such as your location or address;

- To disclose your personal information to third parties, including other MARKSTRAAT FINANCE CC Franchises/ Entities, for reasons set out in this Policy or where it is not unlawful to do so;
- To conduct surveys; and
- To improve or evaluate the effectiveness of MARKSTRAAT FINANCE CC's business or products, services or offerings.

15.6 What should I do if my personal details change?

We strive to maintain the integrity and accuracy of your personal information at all times. You are responsible for informing us of any change in your details, such as a change of address. You have a right to ask us to correct any inaccuracies in the information we hold about you. If your personal information changes at any time or our records appear to be incorrect, please inform us immediately so that we may update or correct our records accordingly. If you fail to keep your information updated, or if your information is incorrect, MARKSTRAAT FINANCE CC may limit the products and services offered to you or elect not to provide any of these to you.

15.7 May I request information that MARKSTRAAT FINANCE CC has about me?

You may request details of personal information which we hold about you under the Promotion of Access to Information Act 2 of 2000 ("PAIA"). Fees to obtain a copy or a description of personal information held about you are prescribed in terms of PAIA. Confirmation of whether or not we hold personal information about you may be requested free of charge. If you would like to obtain a copy of your personal information held by MARKSTRAAT FINANCE CC, please review our **PAIA Manual**.

16. CONTACT DETAILS OF MARKSTRAAT FINANCE CC.

You may contact us through the following channels:

Email: chb@icon.co.za – for attention: - **The Information Officer:** Mr Carel H Buitendag

Landline: - +27 (0)12 807 3263

Mobile: + 27 (0)83 700 4015

Postal Address: Private Box 57, The Glades, Wapadrand, 0050, Gauteng, South Africa.

Website: www.natrail.co.za

Should you believe that MARKSTRAAT FINANCE CC has utilised your personal information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns with MARKSTRAAT FINANCE CC. If you are not satisfied with such process, you have the right to lodge a complaint with the Information Regulator, using the contact details listed below:

You may lodge a complaint to the Information Regulator (South Africa) with the following contact details:

Website: <https://www.justice.gov.za/infoereg/index.html>.

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

P.O Box 31533, Braamfontein, Johannesburg, 2017

Complaints email: complaints.IR@justice.gov.za Email: infoereg@justice.gov.za

THUS APPROVED AND SIGNED ON THIS THE _____ DAY OF JUNE 2021

**CAREL HENDRIK BUITENDAG
CEO MARKSTRAAT FINANCE CC**