

PRIVACY POLICY

Privacy Policy by ASOCapital prepared in accordance with the Protection of Personal Information Act No. 4 of 2013 (as amended)

Compiled: February 2022

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1. DEFINITIONS

ASOCapital	ASOC Management Company (Pty) Ltd, 2015/349581/07 (“ ASOC Manco ”) a private company registered in terms of the Companies Act No. 61 of 2008 (as amended) and including entities associated with or related to ASOC Manco as detailed per attached Annexure A
B-BBEE	Broad-Based Black Economic Empowerment Act No. 53 of 2003
FAIS	Financial Advisory and Intermediary Services Act No. 37 of 2002
Personal Information	Information relating to an identifiable, living, natural person or information relating to an identifiable, existing juristic person
Policy	This document together with all its annexures, as amended from time to time
POPIA	Protection of Personal Information Act No. 4 of 2013 (as amended) and the Regulations relating to the Protection of Personal Information, 2017
Process, Processing or Processed	Any activity, whether or not by automated means, concerning Personal Information such as collection, receipt, recording, organization, structuring, storage, updating or modification, retrieval, consultation, use, dissemination by means of transmission, distribution or making available in any other form, merging, restriction, degradation, erasure or destruction of information
Republic	Republic of South Africa
Special Personal Information	Refers to details about your religious or philosophical beliefs, race, or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information or information about your criminal offences or convictions
You / Your	The person to whom Personal Information relates

2. PURPOSE AND SCOPE OF THE POLICY

POPIA aims to give effect to the constitutional right to privacy in relation to both natural and juristic persons, whilst balancing this against competing rights and interests, particularly the right of access to information.

ASOCapital is committed to protecting your privacy and to ensure that your Personal Information is collected and used properly, lawfully and transparently.

This Policy explains how ASOCapital obtains, uses and discloses your Personal Information, in accordance with the requirements of POPIA.

By providing ASOCapital with your Personal Information, you agree to this Policy and authorise ASOCapital to process such information as set out herein and further authorise ASOCapital, its service providers and other third parties to process your Personal Information for the purposes stated in this Policy.

ASOCapital may, where permitted or required to do so by applicable law, process your Personal Information without your knowledge or permission, if sufficient grounds for justification are present.

This Policy applies to all external parties with whom ASOCapital interacts, including but not limited to clients (natural or juristic persons), representatives of client organisations, investors, representatives of investors, service providers.

3. COLLECTION OF PERSONAL INFORMATION

ASOCapital may collect or obtain your Personal Information:

- through direct interactions / communication with you;
- in the course of its relationship with you;
- in the course of providing its services to you or your organisation; and
- if you make your Personal Information public.

ASOCapital may also receive Personal Information about you from third parties (eg, law enforcement authorities).

ASOCapital may create Personal Information about you such as records of your communications, including but not limited to, your attendance at meetings, or at job interviews.

4. CATEGORIES OF INFORMATION ASOCAPITAL MAY PROCESS

4.1. Personal Information

ASOCapital may process the following categories of Personal Information about you:

Personal details	Name, registered name, photograph
Identifier information	Which includes identity / passport number, registration number, utility provider details, bank statements, lease agreements
Demographic information	Which includes gender, date of birth, nationality, title, language preference
Contact information	Which includes correspondence address, telephone / cell number, email address
Employer information	Where you interact with ASOCapital as an employee of an organization – which includes name, telephone number and email address of your employer (to the extent relevant)
Investor information	Which includes investor information, fund information, information relating to partners of partnerships and information on investee companies
Payment information	Which includes billing address, payment method, bank account number or credit card number, invoice records, payment records, SWIFT details, payment amount, payment date, and records of cheques
Financial information	Which includes financial records, financial statements, tax clearance certificates, income tax numbers, Value Added Tax numbers
Attendance records	Which includes meetings organized by ASOCapital that you have attended, attendance records of employees
Technical information	Which includes your IP address, your login data

4.2. Special Personal Information

ASOCapital will generally not process particularly Special Personal Information about you unless it is necessary for establishing, exercising or defending a right or obligation in law, or where ASOCapital has obtained your consent to do so. The situations in which ASOCapital may process your Special Personal Information include the following:

- Racial and ethnic information – as part of B-BBEE employment and compliance;
- Criminal behaviour - as part of the recruitment and hiring process and investment processes in relation to investee companies;
- Political persuasion and Key Influential Persons – as part of the know your client (KYC) processes and customer due diligence (CDD) checks in relation to, *inter alia*, FAIS requirements;
- Health - as part of screening processes when accessing premises (in relation to Covid-19 regulations and protocols).

ASOCapital will restrict its collection and processing of Personal Information to data which is sufficient for the fulfilment of its primary business purpose and applicable legitimate purpose for which it is collected.

5. PURPOSE OF PROCESSING AND LEGAL BASES FOR PROCESSING

ASOCapital provides entities or businesses facing material challenge or change, with flexible funding and investment solutions to facilitate the holistic re-structuring and turnaround of such businesses to facilitate their future viability and sustainability.

ASOCapital will process your Personal Information in the ordinary course of conducting its business and will primarily use your Personal Information only for the purpose for which it was originally or primarily collected.

ASOCapital 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.

ASOCapital may subject your Personal Information to Processing during the course of various activities, including, without limitation, the following:

- operating its business;
- analysis, evaluation, review and collation of information in order to prepare and provide services requested;
- managing the commercial relationship with clients and investors;
- complying with statutory obligations;
- regulatory reporting obligations;
- creating and managing supplier relationships;
- human resources and finance functions including those obligations imposed by legislation;
- managing security risks;
- recruitment;
- procurement processes.

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

6. DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES

ASOCapital may disclose your Personal Information to its service providers, for legitimate business purposes, in accordance with applicable law and subject to applicable professional

and regulatory requirements regarding confidentiality. In addition, ASOCapital may disclose your Personal Information –

- if required by law;
- legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
- 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;
- 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;
- to any relevant party for the purposes of 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;
- to any relevant third-party acquirer(s), in the event ASOCapital sell or transfer all or any portion of its business or assets.

If ASOCapital engages a third-party operator to Process any of your Personal Information, it recognises 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. ASOCapital reviews its relationships with operators it engages and, to the extent required by any applicable law in force, ASOCapital will require such operators to be bound by contractual obligations to:

- only Process such Personal Information in accordance with ASOCapital's prior written instructions; and
- use appropriate measures to protect the confidentiality and security of such Personal Information.

7. INTERNATIONAL TRANSFER OF PERSONAL INFORMATION

ASOCapital may transfer your Personal Information to recipients outside of the Republic provided that the country to which the data is transferred has adopted a law that provides for an adequate level of protection substantially similar to POPIA, the operator/third party undertakes to protect the Personal Information in line with applicable legislation and the transfer is necessary in order to provide the relevant services that are required by ASOCapital's clients.

8. DATA:

8.1. Security

ASOCapital takes reasonable technical and organisational measures and to protect your Personal Information against accidental or unlawful destruction, loss, alteration, unauthorised disclosure and unauthorised access, in accordance with applicable law.

If there are reasonable grounds to believe that your Personal Information in our possession has been accessed or acquired by any unauthorised person, ASOCapital will notify the relevant regulator and you, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs ASOCapital that notifying you will impede a criminal investigation.

Although ASOCapital will implement all reasonable measures to protect your Personal Information that is in its possession, ASOCapital cannot guarantee the security of any information transmitted using the internet and cannot be held liable for any loss of privacy occurring during such transmission.

8.2. Accuracy

ASOCapital will take all reasonable steps to obtain accurate, complete and up to date Personal Information. However, the onus is on you to notify ASOCapital of the correction and/or update of your Personal Information held by it.

8.3. Retention

ASOCapital shall retain and store 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 the longer.

9. YOUR LEGAL RIGHTS

South African data protection legislation may confer certain rights on you in respect of your Personal Information, namely, to request access to your Personal Information, to ask ASOCapital to rectify, erase and restrict use of your Personal Information. You may also have rights to object to your Personal Information being used and to withdraw consent to the use of your Personal Information.

10. KEY CONTACT DETAILS AT ASOCAPITAL

Information Officer	
Name	Richard Alexander Ferguson
Cell	082 573 9835
E-mail	richard.ferguson@asocapital.com
General contact	
E-mail	info@asocapital.com
Head Office	
Postal Address	P O Box 268, Cape Town, 8000
Physical Address	Unit 2, 1st Floor, Constantia House, 3 Silverwood Close, Steenberg Office Park, Westlake, Cape Town, 7945
Website	www.asocapital.com

Mr RA Ferguson has been duly appointed as the Information Officer of ASOCapital and is the person to whom any queries may be raised in relation to this Policy.

11. UPDATING OF POLICY

This Policy will be reviewed and updated, if necessary, on a periodic basis.

12. ANNEXURE A

ASOC MANAGEMENT COMPANY (PTY) LTD AND RELATED ENTITIES (Updated: February 2022)

Name	Registration Number
ASOC Management Group (Pty) Ltd	2020/803358/07
ASOC I Bidco One (Pty) Ltd	2016/387962/07
ASOC I Bidco Two (Pty) Ltd	2016/416180/07
ASOC Distressed Property Company (Pty) Ltd	2017/493910/07
ASOC Fund I Partnership (<i>en commandite</i>)	None
ASOC Fund I GP Partnership (<i>en commandite</i>)	None
ASOC Fund I General Partner (Pty) Ltd	2016/203252/07
ASOC Fund II General Partner (Pty) Ltd	2021/682141/07
ASOC Investments (Pty) Ltd	2015/349577/07
ASOC Management Company (Pty) Ltd	2015/349581/07
ASOC Distressed Property Company (Pty) Ltd	2017/493910/07
ASOCapital Advisory (Pty) Ltd	2021/931114/07
Coalition Trading 393 (Pty) Ltd	2014/286382/07

Disclaimer:

This Policy applies to each of the above entities, but whilst each entity may constitute a related party of ASOC Management Company (Pty) Ltd, each of these entities is not necessarily a member of the ASOC group of companies as defined for, e.g. statutory reporting purposes.