



POWERING POSSIBILITY

CORPORATE POLICY

EXXARO GROUP PRIVACY POLICY

REVISION

Version 1

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DOCUMENT OWNER

Chief Risk Officer

APPROVED BY

Board of Directors

EXXARO RESOURCES LIMITED
(including all subsidiaries)

Hereinafter referred to as
"Exxaro"

This policy replaces all previous policies and correspondence in this regard.

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1. Overview

- 1.1. Exxaro Resources Limited (“Exxaro”) is committed to respecting and protecting the Personal Information and privacy of others. As a Responsible Party we strive to ensure that our use of the Personal Information in our possession is lawful, reasonable, and relevant to our business activities.
- 1.2. This Privacy Policy (“Policy”) applies when Personal Information is provided to Exxaro, or where Exxaro collects or uses any information that is defined by the Protection of Personal Information Act 4 of 2013 (“POPIA”) as “Personal Information”. In adopting this Policy Exxaro wishes to balance its legitimate business interests and the rights of persons to their Constitutional right to privacy.
- 1.3. Exxaro collects, manages and uses Personal Information from a range of individuals in the context of its business activities. Accordingly, Exxaro must take reasonable steps to prevent unauthorised access to, or disclosure of Personal Information as required by the POPIA. This includes being clear about how Exxaro collects, manages and uses the Personal Information of others.
- 1.4. The principle(s) for the lawful Processing of Personal Information applicable to a you (Data Subject) will depend on your relationship with Exxaro, as well as the context in which Exxaro Processes your Personal Information. However, other applicable laws may apply to the Processing of Personal Information under certain circumstances.
- 1.5. Exxaro is sensitive to the personal nature of the information you provide to us and this Policy serves to explain how we Process and safeguard your Personal Information.

2. Introduction

- 2.1. By providing us with your Personal Information, you –
 - 2.1.1. agree to this Policy and authorise Exxaro to Process your Personal Information as set out herein; and
 - 2.1.2. authorise Exxaro, and Third Parties acting on behalf of Exxaro or performing services for Exxaro, to Process your Personal Information for the purposes set out in this Policy.
- 2.2. We will not use your Personal Information for any other purpose than that set out in this Policy and will endeavour to protect the Personal Information about you that is in our possession from unauthorised alteration, loss, disclosure or access.

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3. Scope

This Policy applies to:

- 3.1. The Exxaro Group of companies and all Third Parties who act for or on behalf of Exxaro in its day-to-day business activities;
- 3.2. All Third Parties with whom Exxaro interacts, including but not limited to customers, representatives of customer organisations, visitors to our offices, and other users of our Products and/or Services. Categories of Third Parties used in this Policy are defined in 8.2.1.

4. Purpose and Legal Basis for Processing Personal Information

4.1. Exxaro will Process your Personal Information in its ordinary course of business of providing Products and/ or Services. We will primarily use your Personal Information only for the purpose for which it was originally collected. We will use/ further Process your Personal Information for a secondary purpose only if such secondary purpose is compatible with the original or primary purpose for which the Personal Information was collected. Exxaro may Process your Personal Information for purposes including –

- 4.1.1. operating our business;
- 4.1.2. analysis, evaluation, review and collation of information in order to provide Products and/ or Services;
- 4.1.3. compliance with applicable law and fraud prevention;
- 4.1.4. transfer of information to Third Parties or;
- 4.1.5. recruitment;
- 4.1.6. marketing purposes in relation to our Products and/ or Services (including, but not limited to, Processing that is necessary for the development and improvement of our related Products and/ or Services);
- 4.1.7. accounts management;
- 4.1.8. analysis your Personal Information for statistical purposes;
- 4.1.9. 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;
- 4.1.10. safety and security purposes.

5. How Exxaro Collects your Personal Information

5.1. Exxaro may collect or obtain Personal Information that you **provide voluntarily** –

- 5.1.1. when you interact with us on our Website or our various social media platforms;

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- 5.1.2. when you register a profile on any of our online platforms including registering on our Website as a customer or supplier, stakeholder, or if you are interested in applying for a job vacancy;
- 5.1.3. when you visit our offices
- 5.1.4. in the course of our relationship with you through email or telephone communication; and
- 5.1.5. in the course of providing Products and/ or Services to you or your organisation;
- 5.1.6. when you make your Personal Information public, eg on LinkedIn.

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 and interactions with you on our digital platforms.

5.2. We may **automatically collect** or obtain Personal Information about you –

5.2.1. **Cookies and similar Technologies**

We may Process your Personal Information by our use of Cookies and similar technologies. When you visit our Website we may collect certain information automatically from your device, e.g your device type, unique device identification numbers, browser-type, broad geographical location and other technical information. We use Cookies to record information about your preferences and browsing habits.

We use this information for our internal operations and analytics purposes and to improve the quality and relevance of our Website.

You have the right to decide whether to accept or reject Cookies. If you choose to reject cookies, you may still use our Website though your access to some functionalities and certain areas of our Website may be restricted.

5.3. We may collect or obtain Personal Information about you from **Third Party sources** –

- 5.3.1. through representatives or contractors who provide services to us;
- 5.3.2. through other Third Parties who are entitled to share that information;
- 5.3.3. where you have expressed an interest in career opportunities with Exxaro (we may obtain Personal Information provided to us by HR practitioners, hiring managers and recruitment advisors);

6. Categories of Personal Information Exxaro May Collect

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6.1. Personal Information about you concerning –

- 6.1.1. **personal details:** name; and a photograph for identification purposes;
- 6.1.2. **health status:** in accordance with mandatory legislative and regulatory provisions required for for operations. Applicable to contractors, employees (onboarding) and visitor (e.g Covid testing).
- 6.1.3. **demographic information:** gender; date of birth / age; nationality; salutation; title; and language preferences;
- 6.1.4. **identifier information:** passport or national identity number; utility provider details; bank statements;
- 6.1.5. **contact details:** correspondence address; telephone number; email address; and details of your public social media profile(s); details of individuals soliciting Products and/ or Services from Exxaro;
- 6.1.6. Personal Information included in correspondence, documents, evidence or other materials that we Process in the course of providing products and/ or services;
- 6.1.7. **attendance records:** details of meetings and other events organised by or on behalf of Exxaro that you have attended;
- 6.1.8. **consent records:** records of any consents you may have given, together with the date and time, means of consent and any related information;
- 6.1.9. **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;
- 6.1.10. **data relating to your visits to our Website:** your device type; operating system; browser type; browser settings; IP address; language settings; dates and times of connecting to a Website; and other technical communications information;
- 6.1.11. **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; and
- 6.1.12. **content data:** records of your interactions with our online content, records of content displayed on pages displayed to you, and any interaction you may have had with such content (including, but not limited to, mouse hover, mouse clicks and any forms you complete).

6.2. Special Personal Information

Where Exxaro is required to Process your Special Personal Information, we will do so in the ordinary course of our business, for a legitimate purpose, and in accordance with the requirements of all applicable laws.

7. Protecting your Personal Information

7.1. Data Accuracy

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- 7.1.1. The Personal Information provided to Exxaro should be accurate, complete and up-to-date. Should your Personal Information change, you have the responsibility to notify Exxaro of the change and to provide Exxaro with the updated details.

7.2. Data Security

- 7.2.1. Exxaro has implemented appropriate and reasonable technical and organisational security measures to protect your Personal Information against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access. These measures are in accordance with all applicable laws.
- 7.2.2. Where there are reasonable grounds to believe that your Personal Information has been accessed or acquired by any unauthorised person, we will notify the Information Regulator and you, the Data Subject, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs us that notifying you will impede a criminal investigation.
- 7.2.3. Exxaro acknowledges that the transmission of information via the internet is not completely secure. Although have implemented all reasonable measures to protect your Personal Information that is in our possession, we cannot guarantee the security of any information transmitted using any of our online platforms and we cannot be held liable for any loss of privacy occurring during the course of such transmission.

7.3. Data Minimisation

Exxaro will restrict its Processing of Personal Information to that which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose for which it was collected.

7.4. Data Retention

Exxaro will only retain and store your Personal Information for the period for which the data is required to –

- 7.4.1. serve its primary purpose of collection;
- 7.4.2. fulfil a legitimate interest, or
- 7.4.3. fulfil the period required to comply with an applicable legal requirement, whichever is longer.

8. Disclosing Personal Information

8.1. Disclosure of Personal Information between Exxaro Entities

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8.1.1. Personal Information may be disclosed between entities within the Exxaro Group and used for the same purposes for which the information was originally collected.

Exxaro has taken reasonable steps to protect the confidentiality and security of your Personal Information when it is disclosed to an Exxaro entity. Exxaro seeks to ensure that it deals with your information in accordance applicable privacy laws, and only for the purpose for which it is disclosed.

8.2. Disclosure of Personal Information to Third Parties

8.2.1. In appropriate circumstances Exxaro may disclose your Personal Information to the following categories of Third Parties/ Third Party Operators:

- auditors, legal and other professional advisers;
- IT and other service providers;
- our other business partners and their agents;
- government and law enforcement authorities;
- relevant parties where such disclosure is required by law;
- relevant parties if legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation, request it;
- 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;
- 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 to any relevant Third Party provider, where our Website uses Third Party plugins or content.
- financial and medical institutions;
- prospective buyer or seller of all or part of our business, assets or shares in one of the Exxaro Group companies;
- HR practitioners, hiring managers and recruitment advisors (including Personal Information provided to us via our job vacancy website and for the purpose of considering you for career opportunities with Exxaro);
- occupational health practitioners in furtherance of their duties as required by relevant laws;
- to any other person with your consent to the disclosure.

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9. Cross-Border Transfer of Personal Information

- 9.1. Personal Information may be transferred outside of the Republic of South Africa 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.
- 9.2. If Exxaro engages a Third-Party Operator to Process your Personal Information, Exxaro recognises that any Operator who is in a foreign country must be subject to laws and binding corporate agreements which provide an adequate level of protection similar to POPIA. Exxaro will review its relationships with Third-Party Operators where Personal Information is transferred outside the borders of the Republic of South Africa and will require such Operators to be bound by contractual obligations to –
- 9.2.1. only Process such Personal Information in accordance with our prior written instructions and in terms of an Operator Processing Agreement; and
 - 9.2.2. use appropriate measures to protect the confidentiality and security of such Personal Information.
- 9.3. Exxaro has put in place appropriate and reasonable safeguards to protect your Personal Information and to ensure that Third Parties/ Third Party Operators handle the information in a manner consistent with this Policy and all applicable privacy laws.

10. Data Subject Rights

- 10.1. To protect the integrity and security of the information we hold, Exxaro may ask Data Subjects to follow a defined access procedure, which may include steps to verify identity.
- 10.2. You/ a Data Subject can request access to the Personal Information that Exxaro holds about you, or request that it be updated or corrected, at any time, by contacting us using the details provided below in paragraph 13.
- 10.3. If a Data Subject has a live account on the Exxaro job vacancy website, and Exxaro continues to process their Personal Information in connection with that account, the Data Subject can update or otherwise rectify their Personal Information by logging in to their account via the applicant login section. A Data Subject may remove the Personal Information provided to us via Exxaro’s job vacancy website by deregistering their profile on the website.
- 10.4. A Data Subject can also opt out of any marketing communications received from Exxaro. This right can exercise by either following the unsubscribe instructions on such communications, or to decline or withdraw consent to receive communications from Exxaro.

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10.5. Exxaro will not charge a fee for responding to an access or correction request, but Data Subjects may be charged the reasonable expenses Exxaro incurs (ie. access to information request as per Exxaro PAIA Manual), where required by law. We will inform you of this before proceeding.

11. Right to Object and Complaints

You are encouraged to make immediate contact with the Exxaro Information Officer at any time if you are not comfortable or satisfied with the manner in which Exxaro is Processing your Personal Information. On receipt of your objection Exxaro will place a hold on any further Processing until the cause of the objection has been resolved. Exxaro will review and respond to your objection and/ or compliant within the prescribed periods as defined by privacy laws. If you are not satisfied with such process, you have the right to lodge a complaint with the Information Regulator.

12. Policy Review and Updates

Exxaro will review this Policy periodically and update it from time to time, or when relevant regulatory changes occur. Please note that Exxaro may review and update this Policy from time to time. The latest version of this Policy is available on request. Where we are required by applicable law, we will make you aware of any material changes by placing a notification on our website.

13. Contact Information

If you have a question, concern or complaint regarding the way in which we handle your Personal Information, or if you believe that Exxaro has failed to comply with this Policy or has breached any applicable laws in relation to the management of your Personal Information, you can make a complaint.

Please direct your requests and/ or complaints in writing to:

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Group Information Officer

Information.Officer@exxaro.com

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ANNEXURE A: DEFINITIONS

Cookies	means small blocks of data created by a web server while a user is browsing a website. These blocks/ cookies are placed on the device used to access a website.
Consent(s)/Consented	means a specific and informed legally binding expression of will, given voluntarily, in which the Data Subject declares his / her / its consent to Processing Personal Information. Explicit written consent should be reserved for extraordinary circumstances only, where the interests of the Employee or Data Subject are seriously at risk, such as the Processing of Special Personal Information
Data Subject	means the person to whom the Personal Information relates, which includes identifiable and living natural persons, and existing juristic persons.
Exxaro Group	means Exxaro's Corporate Centre and all its business unit's and entities over which Exxaro has management control, and its majority held subsidiaries.
Third Party/ Parties	means, but is not limited to <ul style="list-style-type: none"> ▪ individual clients, representatives of client organisations, ▪ providers of various services whom we engage, including, providers of information technology, communication, file storage, data storage, copying, printing, accounting or auditing services, counsel, experts, investigators ▪ visitors to our offices, and other users connected to Exxaro; through business-related activities;
Third Party Operator	means any person who processes Personal Information on behalf of Exxaro in terms of a contract, without coming under the direct authority of Exxaro, for example an outsourced services partner, data processor, data capture and compilation, marketing companies, technology services, hosting services provider, data storage/document warehouse etc. (e.g. medical stations / clinics OHP / primary health care clinics / security services);
Personal Information	information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: <ul style="list-style-type: none"> • information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation,

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	<p>age, physical or 5 mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;</p> <ul style="list-style-type: none"> • information relating to the education or the medical, financial, criminal or employment history of the person; • any identifying number, symbol, e-mail address, physical address, telephone 10 number, location information, online identifier or other particular assignment to the person; • the biometric information of the person; • the personal opinions, views or preferences of the person; • correspondence sent by the person that is implicitly or explicitly of a private 15 or confidential nature or further correspondence that would reveal the contents of the original correspondence; • the views or opinions of another individual about the person; and • 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
Process/Processing/ Processed	<p>means any operation or activity or any set of operations concerning Personal Information in the possession of Exxaro or its Operators and includes such activities as:</p> <ul style="list-style-type: none"> • The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; • Dissemination by means of transmission, distribution or making available in any other form; or • Merging, linking, as well as restriction, degradation, erasure or destruction of information.
Products and/ or Services	<p>Exxaro’s business offering to its customers - coal, minerals and renewable energy.</p>
Responsible Party	<p>means the entity that needs the Personal Information for a particular reason and determines the purpose of and means for Processing the Personal Information. In this case, Exxaro or the relevant subsidiary of Exxaro.</p>
Special Personal Information	<p>means information or data about an individual or organisation that pertains to racial or ethnic origin, philosophical, political or religious beliefs, trade union membership, health (both primary and occupational), sex life, biometric information, or the criminal behaviour of an individual.</p>
Website	<p>means Exxaro’s official website, namely www.exxaro.com</p>

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ANNEXURE B: WHY AND HOW WE USE THE PERSONAL INFORMATION WE COLLECT

Below is a list of the types of information Exxaro collects and a description of why we use it. Information may be collected physically at any of the Exxaro sites, online on the Exxaro website and other online platforms such as our social media sites and email. Information may also be collected via telefax, telephony, mail.

a. Visitors to our Physical Offices and Business Units

Information Type	Why do we Use this Information
Identification Information: <i>such as passport or national form of identification, name, contact details, employer registration details</i>	To verify your identity, to enable you to enter our offices or sites, and to undertake adequate due diligence
Technical Information: <i>such as device type, unique device identification, browser type, broad geographical location</i>	To monitor the use of our website and to assess, maintain, upgrade and improve our website, to carry out market analysis and research.
Other information relating to your visit on-site: <i>such as results of drug/ alcohol testing</i>	To adhere to and comply with our health and safety practices

b. Visitors to our Website and/ or Social Media Pages

Information Type	Why do we Use this Information
Contact Information: <i>such as email, telephone number, address</i>	To respond to your queries and requests, to provide you with an opportunity to register on our online databases
Technical Information: <i>such as device type, unique device identification, browser type, broad geographical location</i>	To monitor the use of our website and to assess, maintain, upgrade and improve our website, to carry out market analysis and research.

c. Customers and other Users of Exxaro's Products and/ or Services

Information Type	Why do we Use this Information
Contact and Payment Information: <i>Such as company name, company tax details, email, telephone number, address, payment and bank details (if required)</i>	To enable us to provide our Products and/ or Services to you, to keep you informed about our activities and updates, to respond to any queries and requests, to carry out market analysis and research, to manage and resolve any commercial or legal complaints or issues.
Technical Information: <i>such as device type, unique device identification, browser type, broad geographical location</i>	To monitor the use of our Products and/ or Services to assess, maintain, upgrade and improve our products and/ or services, to carry out market analysis and research, to carry out planning and forecasting activities and for other internal business processes.

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d. Suppliers and other Third Parties with whom Exxaro has a Business Relationship

Information Type	Why do we Use this Information
Contact Information: <i>Such as name, email, telephone number, company name, business address, business phone number</i>	To enter into a business relationship with the Third Party. To keep you informed about our activities and updates to respond to any queries and requests, to manage and resolve any commercial or legal complaints or issues, to carry out planning and forecasting activities and for other international business processes.
Third Party Personnel: <i>Such as name, role/ position, citizenship/ nationality, national identity numbers, type and percentage of ownership</i>	To carry out due diligence prior to entering into a relationship with the Third Party and/ or to decide whether to continue a business relationship with the Third Party.
Financial and compliance due diligence information on relevant personnel: <i>such as, criminal conviction data including investigations, allegations or prosecutions relating to financial or other serious misconduct.</i>	To undertake adequate financial and compliance due diligence to comply with regulatory requirements to assess any financial and compliance misconduct.

e. Prospective Customers and Suppliers

Information Type	Why do we Use this Information
Identification Information: <i>Such as name, email, telephone number, company name, company number, company tax details, business address, business phone number</i>	To verify identification, undertake adequate due diligence and register you as a customer or supplier as required to comply with our legal and regulatory obligations.
Contact Information: <i>such as name, email, telephone number, address</i>	To register you as a customer or supplier and to contact you with information relevant to you as a customer or supplier of Exxaro.
Financial due diligence information: <i>such as data including investigations, allegations or prosecutions relating to financial misconduct</i>	To undertake adequate financial due diligence to comply with regulatory requirements and to assess any financial misconduct.

f. Job Applicants on Exxaro Website

Information Type	Why do we Use this Information
Contact Information: <i>Such as name, email, telephone number, address</i>	To verify your identity, enter into and perform an employment contract with you and respond to queries and requests.
Educations and Qualification Information: <i>such as previous employer, education details, referees; professional memberships, affiliations, Third Party references</i>	To assess your suitability for the job applied for and to enter into and perform an employment contract with you.
Other Information relating to Potential Employment: <i>such as employment equity information</i>	To comply with our legal and regulatory obligations and to carry out our contract of employment with you.

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relating to race and gender, information collected from pre-clearance questionnaires and/ or interviews, criminal background checks, passports and visas, equal opportunities monitoring, safety certificates, health information, technical information from using our website (e.g device type, unique device identification numbers, browser type)

Note: Exxaro may advertise job vacancies on online Third Party websites, eg LinkedIn. Job applications on these websites must comply with the Privacy Policy of the Third Party.

g. Shareholders/ Investors (existing and prospective)

Information Type	Why do we Use this Information
Identification Information: <i>Such as passport, image, national identification</i>	To verify your identity, undertake adequate due diligence and register you as a shareholder as required to comply with out legal and regulatory obligations.
Contact Information: <i>such as name, email, telephone number, address</i>	To register you as a shareholder and to contact you with information relevant to you as a shareholder in Exxaro.
Financial due diligence Information: <i>such as criminal conviction data, including investigations, allegations or prosecutions relating to financial misconduct.</i>	To undertake adequate financial due diligence to comply with regulatory requirements and to assess any financial misconduct.

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