

EXTERNAL PRIVACY POLICY

1. Introduction

- 1.1. For purposes of this Policy:
 - 1.1.1. “**Applicable Laws**” means all laws, regulations that BTE Renewables is required to comply with;
 - 1.1.2. “**BTE Renewables**” or “**we**” or “**us**” means BioTherm Energy (Pty) Ltd and its direct and indirect subsidiaries and affiliates. To obtain more information in respect of these subsidiaries please look at **Annexure A**.
 - 1.1.3. “**Client**”, “**Supplier**” or “**you**” means any prospective, new or existing client, vendor or supplier of BTE Renewables.
- 1.2. This Policy sets out how your personal information will be used by BTE Renewables and applies to any information, including personal and special personal information, you give to BTE Renewables or which BTE Renewables may collect from third parties.
- 1.3. It is important that you read this Policy carefully before submitting any personal information to BTE Renewables.
- 1.4. By submitting any personal information to BTE Renewables you provide consent to the processing of your personal information as set out in this Policy.
- 1.5. The provisions of this Policy are subject to mandatory, unalterable provisions of Applicable Laws;
- 1.6. Please do not submit any personal information to BTE Renewables 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, BTE Renewables may not be able to provide its products and services to you.

2. **How to contact us**

If you have any comments or questions about this Policy please contact the Information Officer, **Lerato Nonyane** (lnonyane@bterenewables.com).

3. **Amendment of this Policy**

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

- 3.1.1. to provide for the introduction of new systems, methods of operation, services, products, property offerings or facilities;
- 3.1.2. to comply with changes to any legal or regulatory requirement;
- 3.1.3. to ensure that our Policy is clearer and more favourable to you;
- 3.1.4. to rectify any mistake that may be discovered from time to time; and/or
- 3.1.5. for any other reason which BTE Renewables, in its sole discretion, may deem reasonable or necessary.

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

4. **Privacy and indemnity**

4.1. BTE Renewables takes your privacy and the protection of your personal information very seriously, and we will only use your personal information in accordance with this Policy and applicable data protection legislation. It is important that you take all necessary and appropriate steps to protect your personal information yourself (for example, by ensuring that all passwords and access codes are kept secure).

4.2. We have implemented reasonable technical and operational measures to keep your personal information secure.

4.3. You hereby indemnify and hold BTE Renewables harmless from any loss, damages or injury that you may incur as a result of any unintentional disclosures of your personal information to unauthorised persons or the provision of incorrect or incomplete personal information to BTE Renewables.

5. Information of children

5.1. We do not intend to collect and/or process any personal information of minors, unless we make this clear. If you do provide any personal information to us of children then you warrant that this is done with the consent of the child's parent or guardian to use this information as set out in this Policy.

6. Suppliers and vendors

6.1. In the course of our business agreement we may collect personal information about you as a data subject to ensure that the business agreement and matters relating to the agreement can be fulfilled.

6.2. We may also do a due diligence on you to ensure that you meet the requirements set out in our procurement policy.

6.3. If you provide any personal information of other persons to us, such as employees or your directors, you warrant that you are authorised to share their personal information with us for purposes set out in the Policy.

7. Information which we may collect about you

7.1. We may collect the following information about you:

7.1.1. this information may include your name, address, contact details, date of birth, place of birth, identity number, passport number, bank details, details about your employment, tax number and financial information;

7.1.2. records of correspondence or enquiries from you or anyone acting on your behalf;

- 7.1.3. details of transactions you carry out with us;
- 7.1.4. details of contracts, sales or leases you carry out with us;
- 7.1.5. sensitive or special categories of personal information, including biometric information, such as images, fingerprints and voiceprints.

7.2. Where you provide us with the personal information of third parties you should take steps to inform the third party that you need to disclose their details to us, identifying us. We will process their personal information in accordance with this Policy.

8. **How we collect information**

- 8.1. You may provide personal information to us either directly or indirectly (through an agent acting on your behalf, or an introducer, whether in writing, through our website, over the telephone or any other means.
- 8.2. We may also collect your personal information from your appointed agent, any regulator, or other third party that may hold such information.

9. **Use of information collected**

- 9.1. We may use, transfer and disclose your personal information for the purposes of:
 - 9.1.1. providing you with the services or offerings you have requested, and notifying you about important changes to these services or offerings;
 - 9.1.2. managing your account or relationship and complying with your instructions or requests;
 - 9.1.3. detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;
 - 9.1.4. assessing and dealing with complaints and requests;

- 9.1.5. operational, marketing, auditing, legal and record keeping requirements;
- 9.1.6. verifying your identity or the identity of your beneficial owner;
- 9.1.7. transferring or processing 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;
- 9.1.8. complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government and tax collection agencies;
- 9.1.9. recording and/or monitoring your telephone calls and electronic communications to/with BTE Renewables in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;
- 9.1.10. conducting market research and providing you with information about BTE Renewables' products or services from time to time via email, telephone or other means (for example, events);
- 9.1.11. where you have unsubscribed from certain direct marketing communications, ensuring that we do not sent such direct marketing to you again;
- 9.1.12. disclosing your personal information to third parties for reasons set out in this Policy or where it is not unlawful to do so;
- 9.1.13. monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from BTE Renewables or any of its employees, agents or contractors, including monitoring, recording and using as evidence all telephone communications between you and BTE Renewables;
- 9.1.14. improving or evaluating the effectiveness of BTE Renewables' business or products, services or offerings; and

9.1.15. prevention and control of any disease.

10. **Disclosure of your information**

10.1. Your personal information may be shared with BTE Renewables' subsidiaries, affiliates, our agents and sub-contractors, and selected third parties who process the information on our behalf.

10.2. We may also disclose your personal information to third parties in the following circumstances:

10.2.1. to any other of BTE Renewables' subsidiaries, affiliates, business partners or other third parties to –

10.2.1.1. assess and monitor any of your applications for BTE Renewables' services;

10.2.1.2. have a better understanding of the circumstances and needs to provide and improve BTE Renewables' services;

10.2.1.3. to any relevant person and/or entity for purposes of prevention, detection and reporting of fraud and criminal activities, the identification of the proceeds of unlawful activities and the combatting of crime;

10.2.2. to any regulator or supervisory authority, including those in foreign jurisdictions, if BTE Renewables is required to do so in terms of Applicable Laws;

10.2.2.1. to a prospective buyer or seller of any of our businesses or assets;

10.2.2.2. to 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 BTE Renewables, other clients or other third parties; and/or

10.2.2.3. to your agent or any other person acting on your behalf, an or an introducer.

- 10.3. We may transfer your information to another of BTE Renewables' entities, an agent, sub-contractor or third party who carries on business in another country, including one which may not have data privacy laws similar to those of the Republic. If this happens, we will ensure that anyone to whom we pass your information agrees to treat your information with the same level of protection as if we were dealing with it.
- 10.4. If you do not wish us to disclose this information to third parties, please contact us at the contact details set out above. We may, however, not be able to provide services to you if such disclosure is necessary.

11. **Retention of your information**

We may retain your personal information indefinitely, unless you object, in which case we will only retain it if we are permitted or required to do so in terms of Applicable Laws. However, as a general rule, we will retain your information in accordance with retention periods set out in Applicable Laws, unless we need to retain it for longer for a lawful purpose. (For example, for the purposes of complaints handling, legal processes and proceedings.)

12. **Access to, correction and deletion of your personal information**

- 12.1. You may request details of personal information which we hold about you under the Promotion of Access to Information Act, 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 BTE Renewables, please review our PAIA Manual located on our website.
- 12.2. You may request the correction of personal information BTE Renewables holds about you. Please ensure that the information we hold about you is complete, accurate and up to date. If you fail to keep your information updated, or if your information is incorrect, BTE Renewables may limit the services offered to you.

12.3. You have a right in certain circumstances to request the destruction or deletion of and, where applicable, to obtain restriction on the processing of personal information held about you. If you wish to exercise this right, please contact us using the contact details set out above.

12.4. You have a right to object on reasonable grounds to the processing of your personal information where the processing is carried out in order to protect our legitimate interests or your legitimate interests, unless the law provides for such processing.

13. **Complaints**

13.1. Should you believe that BTE Renewables has utilised your personal information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns with BTE Renewables.

13.2. If you are not satisfied with such process, you may have the right to lodge a complaint with the Information Regulator, using the contact details listed below:

13.2.1. Tel: 012 406 4818

13.2.2. Fax: 086 500 3351

13.2.3. Email: infoereg@justice.gov.za.

ANNEXURE A – SUBSIDIARIES AND AFFILIATES

Aletta (RF) (Pty) Ltd
Amstilinx (RF) (Pty) Ltd
Amstilite (RF) (Pty) Ltd
BioTherm Operations and Maintenance (RF) (Pty) Ltd
Esizayo (RF) (Pty) Ltd
Friedshelf 1293 (RF) (Pty) Ltd
Golden Valley II Wind (RF) (Pty) Ltd
Loeriesfontein Solar (RF) (Pty) Ltd
Main Street 957 (RF) (Pty) Ltd
Maralla Wind East (RF) (Pty) Ltd
Maralla Wind West (RF) (Pty) Ltd
MethCap SPV1 (Pty) Ltd
Okavango Biology SA (Pty) Ltd
Okavango Projects SA (Pty) Ltd
Okavango Services SA (Pty) Ltd
Perdekraal West Wind Farm (RF) (Pty) Ltd
Ramizone (RF) (Pty) Ltd
Sunrise Kenhardt Solar (RF) (Pty) Ltd
Dexit (Pty) Ltd
Orlight SA (Pty) Ltd
Ramizest (Pty) Ltd
Terra Wind Energy - Golden Valley (Pty) Ltd