

# ARROW-CHEM WEBSITE PRIVACY NOTICE

## 1. Purpose

- 1.1. Arrow-Chem services including but not limited to, the Arrow-Chem website and other intellectual properties through which the Arrow-Chem services are delivered, are owned, operated, and distributed by Arrow-Chem.
- 1.2. The purpose of this Privacy Notice is to outline the personal information that Arrow-Chem may collect and process, how Arrow-Chem interacts with this information, how the personal information is safeguarded and with who the personal information is shared or transferred to.

## 2. Scope

- 2.1. This Privacy Notice applies to all Arrow-Chem employees (including vendors and contractors with access to Arrow-Chem information) customers, visitors, business partners and associates and any relevant stakeholders (herein after referred to as data subjects).
- 2.2. Arrow-Chem encourages all its interested parties and stakeholders to read this Privacy Notice.
- 2.3. By using the Arrow-Chem services or by submitting personal information to Arrow-Chem in any manner, the data subjects acknowledge that they understand and agree to be bound by this Privacy Notice, and agree that Arrow-Chem may collect, process, safeguard, and share/transfer personal information as described in this Policy Notice.
- 2.4. Furthermore, by accessing and using any of the Arrow-Chem services, the data subject(s) agrees to the Terms & Conditions of the Arrow-Chem Terms of Service.
- 2.5. If any data subject does not agree with any part of this Privacy Notice, such data subject is advised to not use any of the Arrow-Chem services.

## 3. What personal information does Arrow-Chem collect?

- 3.1. Personal Information as defined by the Protection of Personal Information Act is any identifiable information relating to a natural, living person or juristic person.
- 3.2. Arrow-Chem collects the following personal information from data subjects who make use of Arrow-Chem products and/or services:
  - 3.2.1. Name and contact information of a data subject (person or company/organisation) – address, contact number, email address etc.
  - 3.2.2. Billing information – account details, account numbers etc.
  - 3.2.3. Order information – purchase information, services rendered information, order history, shipping details etc.
  - 3.2.4. Specific company/employer information.
  - 3.2.5. Geographical and location information.
  - 3.2.6. CCTV Monitoring information – physical access control information etc.

## 4. From who does Arrow-Chem collect the personal information?

- 4.1. Arrow-Chem will as far as reasonably possible only collect personal information directly from the data subjects to ensure that any data subject is aware of exactly what personal information relating to them is being collected.
- 4.2. Arrow-Chem requires written consent from all data subjects of which it receives personal information via a third party and confirmation that the data subjects do not object to Arrow-Chem processing their personal information.
- 4.3. Arrow-Chem requires that all data subjects of which it receives personal information via a third party to be aware of this Arrow-Chem Privacy Policy and to take note of all the Arrow-Chem policies relating to the processing of personal information.
- 4.4. Arrow-Chem may also automatically collect personal information as described in the 'Cookies, Device Data & How it is Used' section of this notice.

## 5. What are the purposes for the collection of personal information?

- 5.1. Arrow-Chem processes personal information for various specific purposes including, but not limited to, the following:
  - 5.1.1. For employment purposes.
  - 5.1.2. For apprenticeship/internship purposes.
  - 5.1.3. For recruitment purposes.
  - 5.1.4. To provide products and/or services to data subjects.
  - 5.1.5. To obtain relevant and specific products and technology from suppliers and vendors to enable Arrow-Chem to provide products and/or services to data subjects.
  - 5.1.6. To establish an improvement plan for the quality of products and/or services provided by Arrow-Chem.
  - 5.1.7. To identify data subjects when they contact Arrow-Chem.
  - 5.1.8. To implement and maintain customer/client records.
  - 5.1.9. To perform customer/client related analysis to establish specific customer/client profiles.
  - 5.1.10. For administrative, financial, and contractual purposes – including tax purposes.
  - 5.1.11. For legal and legislative purposes.
  - 5.1.12. For health & safety purposes.
  - 5.1.13. To enable the proper facilitation and security of Arrow-Chem by monitoring access to the premises and by securing the premises.
  - 5.1.14. To perform all business functions relating to suppliers and business partners.
  - 5.1.15. To establish a detection framework for preventing fraud and money laundering.
  - 5.1.16. To enable Arrow-Chem to recover any debts.
  - 5.1.17. For travel purposes.
  - 5.1.18. To perform reasonable and specific market related research to identify a specific need for products and/or services from its data subjects.
  - 5.1.19. To send to any data subject Arrow-Chem solicitations, product announcements, and the like that Arrow-Chem feels may be of interest to the data subject. Any data subject may “opt out” of receiving these marketing materials.

## **6. How does Arrow-Chem share data subject personal information with third parties?**

- 6.1. The following is a list of recipients that Arrow-Chem shares personal information of data subjects with for any of the purposes outlined in this Privacy Notice:
  - 6.1.1. Any other Arrow-Chem branch in South Africa and in other countries.
  - 6.1.2. Carefully selected business partners associated with Arrow-Chem.
  - 6.1.3. Suppliers – where applicable to provide a service related to the personal information of Arrow-Chem’s data subjects.
  - 6.1.4. Service providers and representatives/agents that provide a service on Arrow-Chem’s behalf.
  - 6.1.5. Any third party with who Arrow-Chem has signed an agreement to process personal information on Arrow-Chem’s behalf.
- 6.2. Arrow-Chem will not share personal information of data subjects with any third parties or unauthorised persons, except under the following conditions:
  - 6.2.1. Where Arrow-Chem is legally obliged to provide such personal information.
  - 6.2.2. Where Arrow-Chem is legally required to do so for existing or future legal proceedings.
  - 6.2.3. Where Arrow-Chem is involved in the prevention of fraud, bribery, corruption, or money laundering.
  - 6.2.4. Where Arrow-Chem is selling one or more of their businesses to a person to whom Arrow-Chem may legally transfer Arrow-Chem’s rights under any customer agreement signed with customers.
  - 6.2.5. The sharing of such personal information is required to provide or maintain any information, products and/or service to data subjects.
  - 6.2.6. Where a third party provides a service in accordance with a signed agreement to process such personal information on Arrow-Chem’s behalf.
  - 6.2.7. Where the sharing of such personal information is required to assist Arrow-Chem in improving the quality of its products and/or services.
- 6.3. Arrow-Chem undertakes to send its data subjects proper notification in the event that it is obliged by law to share personal information pertaining to specific data subjects.

- 6.4. Arrow-Chem further undertakes to only disclose personal information of data subject to the government when it is legally required by law to do so.
- 6.5. All Arrow-Chem employees (including vendors and contractors with access to Arrow-Chem information and systems) have the responsibility to adhere to all privacy and confidentiality policies published by Arrow-Chem and to attend scheduled personal information privacy awareness sessions.

## **7. Collection of User Generated Content**

- 7.1. Arrow-Chem may give data subjects the opportunity to post content relating to the Arrow-Chem services, including data subject comments and any other information that data subjects would like to be available on the Arrow-Chem services, which may become public. (This is referred to as User Generated Content).
- 7.2. When a data subject posts User Generated Content all the personal information contained in the posts will be available to authorised employees (including vendors and contractors with access to Arrow-Chem information) of Arrow-Chem.
- 7.3. When posting User Generated Content, all data subjects expressly acknowledge and agree that Arrow-Chem may access in real-time record and store archives of any User Generated Content on the Arrow-Chem servers to use in connection with the Arrow-Chem services.
- 7.4. If a data subject submits a review, recommendation, endorsement, or any other User Generated Content through Arrow-Chem services, or via any social media platform (Facebook, Instagram, Yelp, Google etc), Arrow-Chem may share such review, recommendation, endorsement, or any other User Generated Content publicly on the Arrow-Chem services.

## **8. Direct Marketing Communication**

- 8.1. Arrow-Chem may communicate with data subjects via email, SMS, or any other channels (sometimes through automated means) for the purpose to market the Arrow-Chem products and/or services, to establish an improvement plan for the quality of products and/or services provided by Arrow-Chem, or for any other reasons stated in this Privacy Notice.
- 8.2. All data subjects have the opportunity to withdraw consent to receive any such direct marketing communications from Arrow-Chem, as permitted by law.
- 8.3. Should any data subject no longer wish to receive correspondence, emails, or any other marketing related communication from Arrow-Chem, the data subject may opt-out by submitting a request via email to [popi@arrow-chem.co.za](mailto:popi@arrow-chem.co.za) or by clicking on the UNSUBSCRIBE link found in any marketing email communication sent to the data subject.
- 8.4. A data subject may express his/her/its communication preferences by:
  - 8.4.1. selecting the preferred method of communication when registering an account on the Arrow-Chem website, or
  - 8.4.2. logging into their account settings and updating their communication preferences, or
  - 8.4.3. contacting Arrow-Chem directly via email or telephone call.
- 8.5. All data subjects must take note that they may continue receiving non-marketing related communication from Arrow-Chem as may be required to maintain their business relationship with Arrow-Chem.
- 8.6. Any data subject may receive third-party marketing communication from providers that Arrow-Chem has engaged with to market or promote its products and/or services.
- 8.7. These third-party providers may be using communication lists which they have acquired on their own, and data subjects may have opted-in to those lists through other channels.
- 8.8. Should a data subject no longer wish to receive marketing communications from such third-party providers, the data subject must contact that third party directly.

## **9. Retention of Data**

- 9.1. Arrow-Chem will retain data subject personal information only for as long as is prescribed by the applicable legislation and laws.
- 9.2. Arrow-Chem will retain data subject personal information only for the purposes outlined in this Privacy Notice.

- 9.3. Arrow-Chem will retain and use data subject personal information to the extent necessary to comply with its legal obligations, to resolve disputes, and to enforce its legal agreements, policies, and procedures.
- 9.4. Arrow-Chem may also retain data subject personal information in terms of usage data for the purpose of internal analysis. Usage data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of Arrow-Chem's Sites and/or Portals, or Arrow-Chem is legally obligated to retain this data for longer periods.

## **10. Cookies, Device Data, and How it is Used**

- 10.1. When a data subject uses Arrow-Chem services, Arrow-Chem may record unique identifiers associated with a data subject's device (such as the device ID and IP address), the data subject activity within the Arrow-Chem services, and the data subject network location. Arrow-Chem uses aggregated information (such as anonymous user usage information, cookies, IP addresses, browser type, clickstream information, etc.) to improve the quality and design of the Arrow-Chem services and to create new features, promotions, functionality, and services by storing, tracking, and analysing user preferences and trends. Specifically, Arrow-Chem may automatically collect the following information about data subject use of Arrow-Chem services through cookies, web beacons, and other technologies:
  - 10.1.1. domain name
  - 10.1.2. browser type and operating system
  - 10.1.3. web pages the data subject views
  - 10.1.4. links the data subject clicks
  - 10.1.5. IP address
  - 10.1.6. the length of time a data subject visits the Sites, Portals, and/or Services
  - 10.1.7. the referring URL or the webpage that led the data subject to the Sites
- 10.2. Arrow-Chem may also collect information regarding application-level events, such as crashes, and associate that temporarily with the data subject's account to provide customer service. In some circumstances, Arrow-Chem may combine this information with personal information collected from a data subject (and third-party service providers may do so on behalf of Arrow-Chem).
- 10.3. In addition, Arrow-Chem may use "cookies," clear gifs, and log file information that will help Arrow-Chem to determine the type of content and pages to which a data subject links, the length of time a data subject spends at any particular area of the Arrow-Chem services, and the portion of the Arrow-Chem services the data subject chooses to use. A cookie is a small text file that is sent by a website to a computer or mobile device where it is stored by a web browser. A cookie contains limited information, usually a unique identifier and the name of the site. A browser has options to accept, reject or provide a data subject with notice when a cookie is sent. Arrow-Chem cookies can only be read by Arrow-Chem; they do not execute any code or virus; and they do not contain any personal information. Cookies allow Arrow-Chem to serve a data subject better and more efficiently, and to personalise a data subject's experience with the Arrow-Chem services. Arrow-Chem may use cookies for many purposes, including (without limitation) to save a data subject's password so that a data subject does not have to re-enter it each time he/she/it visits the Arrow-Chem services, and to deliver content (which may include third party advertisements) specific to data subject interests.
- 10.4. Arrow-Chem may use third-party service providers to help it analyse certain online activities. For example, these service providers may help Arrow-Chem measure the performance of its online campaigns or analyse visitor activity on the Arrow-Chem services. Arrow-Chem may permit these service providers to use cookies and other technologies to perform these services for Arrow-Chem.

Arrow-Chem does not share any personal information about its customers with these third-party service providers, and these service providers do not collect such personal information on Arrow-Chem's behalf. Arrow-Chem third-party service providers are required to comply fully with this Privacy Notice.

## **11. International Data Transfer**

- 11.1. For data subjects located outside the [RSA], in particular in Switzerland, the United Kingdom and the European Economic Area (EEA), please note that Arrow-Chem is a South African based company. Arrow-Chem does not market to or solicit customers from outside the [RSA], therefore, users of the Arrow-Chem services should not expect to avail themselves of the rights provided under the EU's General Data Protection Regulation ("GDPR"). If a data subject uses the Arrow-Chem services, all information, including personal information, will be transferred to Arrow-Chem in the [RSA]. By using the Arrow-Chem services, the data subject unambiguously consents to the transfer of their personal information and other information to the [RSA] and elsewhere for the purposes and uses described in this Notice. Further, the data subject acknowledges that Arrow-Chem is not subject to the GDPR or similar international privacy laws, and, therefore, the data subject will be unable to claim the privacy rights provided in those laws.
- 11.2. Arrow-Chem may use third-party service providers to help it deliver certain services, and it may result in the processing of personal information in data centres and locations outside of the [RSA]. For example, these service providers may provide Arrow-Chem with essential information technology or tools it uses to run Arrow-Chem's business. Arrow-Chem may permit these service providers to process its business information and/or any data subject's personal information. Arrow-Chem does not permit these service providers to process any personal information outside of a contract, and these service providers may collect personal information on Arrow-Chem's behalf. Arrow-Chem's third-party service providers are required to comply fully with this Privacy Notice.

## **12. South African Privacy Rights**

- 12.1. If the data subject is a South African resident, South Africa law may provide the data subject with certain rights with regard to his/her/its personal information under the Protection of Personal Information Act ("POPIA") and Promotion of Access to Information Act ("PAIA") as well the Consumer Protection Act.
- 12.2. Throughout this Privacy Notice a data subject will find information required by POPIA regarding the categories of personal information collected from such data subject, the purposes for which Arrow-Chem uses personal information, and the categories of third parties the data subject's data may be shared with. This information is current as of the date of the Notice and is applicable in the 12 months preceding the effective date of the Notice.
- 12.3. As a South African resident, POPIA and PAIA provide data subjects the ability to make inquiries regarding their personal information. Specifically, the degree to which the information is not already provided in this Privacy Notice, a data subject has the right to request disclosure or action on his/her/its personal information, including:
  - 12.3.1. If a data subject's personal information is collected by Arrow-Chem.
  - 12.3.2. The specific pieces of personal information collected about the data subject.
  - 12.3.3. The ability to correct or delete certain personal information collected about the data subject.
  - 12.3.4. The ability to delete all the personal information collected about the data subject, subject to certain exceptions.
  - 12.3.5. To opt-in or opt-out of direct marketing to the data subject.
  - 12.3.6. To object to the processing of the data subject's personal information.
  - 12.3.7. Appeal any rejection of access to the data subject's personal information
- 12.4. A data subject may submit a request regarding his/her/its rights under POPIA or PAIA by contacting Arrow-Chem at the following email address: [popi@arrow-chem.co.za](mailto:popi@arrow-chem.co.za)
- 12.5. If Arrow-Chem receives a POPIA request from a data subject, Arrow-Chem will first determine the applicability of the law, and it will then take steps to verify the data subject's identity prior to responding. The steps to verify the data subject's identity may vary based on Arrow-Chem's relationship with the data subject, but, at a minimum, it will take the form of confirming and matching the information submitted in the request with information already held by Arrow-Chem and/or contacting the data subject through previously used channels to confirm that the data subject submitted the request.

- 12.6. Arrow-Chem does not knowingly collect or process the special personal information such as a data subject's religious or philosophical beliefs, race or ethnic origins, trade union memberships, political persuasion, health or sex life, or a data subject's criminal behaviour or biometric information.
- 12.7. If a data subject has a comment, question, or complaint about how Arrow-Chem is processing a data subject's personal information, Arrow-Chem trusts that the data subject will contact Arrow-Chem at [popi@arrow-chem.co.za](mailto:popi@arrow-chem.co.za) in order to allow Arrow-Chem to resolve the matter. In addition, if a data subject is located in the Republic of South Africa, such data subject may submit a complaint regarding the processing of his/her/its personal information to the Information Regulator at the following link: <https://www.justice.gov.za/inforeg/contact.html>.

### **13. Third-party Advertisers**

- 13.1. Arrow-Chem may allow other companies, called third-party ad servers or ad networks, to serve advertisements within the Arrow-Chem services.
- 13.2. These third-party ad servers or ad networks use technology to send, directly to a data subject's device, the advertisements and links that appear on the Arrow-Chem services.
- 13.3. They automatically receive a data subject's device ID and IP address when this happens. They may also use other technologies (such as cookies, JavaScript, or Web Beacons) to measure the effectiveness of their advertisements and to personalize the advertising content a data subject can see.
- 13.4. Any data subject should consult the respective privacy policies of these third-party ad servers or ad networks for more information on their practices and for instructions on how to opt-out of certain practices.
- 13.5. This Privacy Notice does not apply to them, and Arrow-Chem cannot control their activities.

### **14. Information Storage and Security**

- 14.1. Arrow-Chem employs industry-standard and/or generally accepted security safeguarding measures, designed to secure the integrity and confidentiality of all information submitted through the Arrow-Chem services.
- 14.2. However, the security of information transmitted through the internet or via a mobile device can never be guaranteed. Arrow-Chem is not responsible for any interception or interruption of any communications through the internet or for changes to or losses of data.
- 14.3. Users of the Arrow-Chem services are responsible for maintaining the security of any password, user ID or other form of authentication involved in obtaining access to password protected or secure areas of the Arrow-Chem services.
- 14.4. To protect user information, Arrow-Chem may suspend the user's use of any of the Arrow-Chem services, without notice, pending an investigation, if Arrow-Chem has reasonable grounds to believe that there has been a security incident.

### **15. External Links**

- 15.1. The Arrow-Chem services may contain links to other websites maintained by third parties. Please be aware that we exercise no control over linked sites and Arrow-Chem is not responsible for the privacy practices or the content of such sites. Each linked site maintains its own independent privacy and data collection policies and procedures, and any user is encouraged to view the privacy policies of these other sites before providing any personal information.
- 15.2. The data subject and/or user hereby acknowledges and agrees that Arrow-Chem is not responsible for the privacy practices, data collection policies and procedures, or the content of such third-party sites, and the data subject and/or user hereby releases Arrow-Chem from any and all claims arising out of or related to the privacy practices, data collection policies and procedures, and/or the content of such third-party sites.

### **16. Children's Privacy**

- 16.1. The Arrow-Chem services are not intended for children under the age of 18, and Arrow-Chem does not knowingly collect the personal information of children under the age of 18.

## **17. Changes and Reviews to this Privacy Notice**

- 17.1. Arrow-Chem reserves the right to review and modify this Privacy Notice from time to time to ensure that it accurately reflects the regulatory environment and Arrow-Chem's data collection principles.
- 17.2. When material changes are made to this Privacy Notice, Arrow-Chem will publish the revised Notice on its website.
- 17.3. This Privacy Notice was last modified on 1 September 2021.

## **18. Contact Details**

- 18.1. Should a data subject and/or user have any questions or comments about this Privacy Notice or the Arrow-Chem services, please contact Arrow-Chem at: [popi@arrow-chem.co.za](mailto:popi@arrow-chem.co.za)