

## **Brain Industries (Pty) Ltd – Privacy Notice**

Brain Industries (Pty) Ltd ("Brain Industries", "we", "us") is committed to protecting the privacy and security of the personal information we receive in the course of our business operations. This notice explains what personal information we collect, why we collect it, how we use and share it, and what rights you have under the Protection of Personal Information Act 4 of 2013 ("POPIA").

By interacting with Brain Industries (for example, as an employee, client, supplier, prospective client, or contact person of a business), you acknowledge that you have read this notice. Where we rely on consent, we will always give you a clear choice.

### **1. Who we are and how to contact us**

Brain Industries (Pty) Ltd

(Registration number: 2016/099333/07) Email:

sharonm@imagine.co.za Telephone: +27824488433

Information Officer: Ferdie Lochner

Email (Information Officer): popi@indevaldi.co.za.

### **2. What personal information we collect**

Brain Industries processes personal information about different groups of data subjects depending on the relationship:

#### **Employees:**

- Names and surnames
- Identity numbers
- Gender
- Contact details (telephone, email, physical address)
- Employment details (job title, remuneration, tax information, banking details)
- In certain circumstances, special personal information relating to health, disability, well-being or medical history (only where lawful and necessary, for example for occupational health and safety, employee benefits, or statutory compliance)

**Clients and business contacts:**

- Names and surnames
- Business role / job title
- Business contact details (email address, phone number, physical/postal address)
- Identity numbers, registration numbers, or director/owner details where required by law (for example, Companies Act, FICA, SARS) or for credit and contractual purposes
- Account numbers and financial information where relevant to transactions
- In limited cases, special personal information where you have provided explicit consent or where processing is otherwise lawful under POPIA

**Suppliers and service providers:**

- Contact person details (name, email, phone)
- Registration and tax details
- Banking details for payments

We do not intend to process children's information in the ordinary course of our business.

**3. How we collect personal information**

We collect personal information:

- Directly from you (for example, when you apply for employment, request a quotation, communicate with us, sign a contract, or provide your details as a contact person).
- Indirectly from your organisation, its representatives, or publicly available sources (for example, CIPC records, your employer's HR system, public company information, or our own records from previous engagements).
- From statutory institutions (such as CIPC, SARS, or other regulatory bodies) where permitted by law.

**4. Why we process personal information (legal bases)**

We process personal information only when there is a lawful basis to do so. Typical purposes and legal bases include:

- **Contractual necessity:** To prepare quotations, enter into and perform contracts (employment or commercial), manage projects, supply goods and services, administer benefits, and communicate about work in progress.
- **Legal obligations:** To meet our obligations under South African law (for example, tax, financial recordkeeping, occupational health and safety, labour law, B-BBEE, anti-corruption, or other regulatory requirements).
- **Legitimate interests:** To manage our business relationships, maintain accurate records, manage quality and disputes, protect our legal rights and yours, and improve our services, provided these interests are not overridden by your rights.
- **Consent:** Only where POPIA specifically requires consent (for example, processing special personal information not covered by another lawful basis, or certain forms of direct electronic marketing). In those cases, we will ask for your clear, voluntary, and informed consent, and you can withdraw it at any time.

We do not rely on consent where POPIA allows us to process information on another lawful basis (for example, to perform a contract or comply with the law).

## 5. How we use and share personal information

We use personal information only for the purposes set out above. We may share personal information with:

- Our service providers and "operators" who assist us with IT, cloud hosting, payroll, accounting, legal, and similar support services, under written agreements that require them to protect your personal information and process it only on our instructions.
- Professional advisers (for example, auditors, legal advisers, consultants) where necessary for legitimate business or legal purposes.
- Statutory institutions (for example, CIPC, SARS, Department of Labour, medical schemes, pension funds, UIF) where we are legally obliged to do so or where it acts as an intermediary on your behalf.
- Third parties with whom you have explicitly agreed in writing or where disclosure is necessary to perform our contract with you.
- Regulators, courts, or public authorities where we are legally obliged to do so or where it is necessary to protect our rights or the rights of others.

We do not sell personal information.

At present we do not intentionally transfer personal information outside South Africa. If this changes, we will ensure that any cross-border transfer complies with POPIA (for example, to countries with adequate protection or under appropriate contractual safeguards).

## 6. Retention of personal information

We keep personal information only for as long as is reasonably necessary to achieve the purposes set out in this notice or as required by law. As a general guide:

- **Employment records** are typically kept for at least 5 years after termination of employment to meet tax, labour law, and pension/provident fund requirements.
- **Contract and invoicing records** are typically kept for at least 5 years to meet tax and financial legislation.
- **Routine correspondence and contact details** may be kept for as long as we have an ongoing relationship or a potential legal claim, and then securely deleted or de-identified.

When we no longer need personal information, we will securely destroy or de-identify it in line with POPIA and our internal policies.

## 7. Security of personal information

We take reasonable, appropriate technical and organisational measures to protect personal information against loss, damage, unauthorised destruction, and unlawful access or processing, as required by Section 19 of POPIA. These measures include:

- Access controls and "need-to-know" principles
- Strong passwords and, where possible, multi-factor authentication
- Up-to-date security software, system updates, and backups
- Secure storage of paper records
- Confidentiality obligations for staff and contractors

Where we use operators (service providers) to process personal information on our behalf, we require them contractually to implement security measures that meet POPIA's requirements and to notify us promptly of any suspected security compromise.

While we take all reasonable steps to protect your personal information, we will not be held responsible for improper or unauthorised use of personal information that is beyond our reasonable control.

## 8. Your rights under POPIA

Subject to certain lawful limitations, you have the right to:

- **Access** the personal information we hold about you, and request details of third parties who have received or processed it.
- **Request correction** of personal information that is inaccurate, incomplete, misleading, or outdated.
- **Request deletion** or restriction of processing in certain circumstances.
- **Object** to certain types of processing, including direct marketing (electronic or otherwise).
- **Withdraw consent** at any time, where processing is based on consent.

**Important notes:**

**Access requests may be declined if:**

- The information is subject to legal privilege in the course of litigation.
- Disclosure would reveal confidential commercial information.
- Giving access may cause a third party to refuse to provide similar information to us.
- The information contains an opinion about another person who has not consented.
- Disclosure is prohibited by law.

To exercise these rights, update your personal information, withdraw consent, or opt out of direct marketing communications, please contact our Information Officer at [sharonm@imagine.co.za](mailto:sharonm@imagine.co.za).

If you are not satisfied with our response, you may lodge a complaint with the Information Regulator (South Africa) at [www.inforegulator.org.za](http://www.inforegulator.org.za).

**9. Updates to this notice**

We may update this privacy notice from time to time to reflect changes in our business or in the law. The latest version will be available on request and via any link provided on our documentation, invoices, and website.

**This privacy notice replaces all previous POPI Act statements and consent forms issued by Brain Industries (Pty) Ltd and is effective from 1 April 2026.**