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DOCUMENT CONTROL AND MANAGEMENT

ITEM	DESCRIPTION	STATUS
1.	File Number	10/1/N
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3.	Preparation Date	01/02/2023
5.	Document Confidentiality	Public
6.	Nature of Document	Privacy Notice
7.	Custodian of document	Legal Services
8	Date of Approval & Commencement	19 October 2023

ARC PRIVACY NOTICE

The ARC was established as a Public Entity in terms of the Agricultural Research Council Act 86 of 1990 (as amended); it is listed as a Schedule 3A Public Entity in terms of the Public Finance Management Act (No.1 of 1999, as amended) (PFMA), and is required to ensure full compliance with all prescripts and regulations arising from the PFMA.

ARC is committed to protecting the security and privacy of third parties (including its customers and all visitors to the Site. We will comply with the requirements of the Protection of Personal Information Act 4 of 2013, all similar or related legislation relating to the processing of Personal Information and/or privacy applicable in any jurisdiction and will take reasonable steps to ensure that your Personal Information is secured and monitored with regard to access, both internally and externally.

The ARC acknowledges the legal obligations imposed by the Electronic Communications and Transactions Act 25 of 2002 and the Protection of Personal Information Act 4 of 2013 ("POPI"). ARC takes the necessary measures to preserve the security and confidentiality of your personal data and, in particular, to prevent it from being altered, corrupted or transmitted to any unauthorized parties.

The ARC ("we" or "us" or "our") respect the privacy of our users ("user" or "you"). By providing us with your personal information, you agree that data can be used in a responsible manner as provided by the data subject. The personal data we collect will be used solely for generating data in relation to these purpose opt.

Please read this privacy notice carefully. If you do not agree with the terms of this privacy notice, please do not use this site.

ARC will ensure that any personal data transferred to a country outside of South Africa is afforded the same level of data protection under POPI. In such a case, we will ensure that, either:

- The country has a law that provides adequate protection; or
- There is an agreement between ARC and the receiver of the personal data that provides adequate protection.

You have the right to access, rectify, limit, oppose and delete personal data/ about you. You can also withdraw your consent to the processing of your personal data at any time.

1. WE WILL ONLY COLLECT YOUR PERSONAL INFORMATION

- a) when you give feedback to this site;
- b) when you join, sign up or subscribe to any of our clubs, panels, forums or other facilities which we run on or from the site from time to time;
- c) through cookies; and
- d) through data aggregation.

We will ensure that your Personal Information is handled in accordance with the POPI Act and any other Protection Legislation. By visiting and/or contacting us through the Website (or otherwise engaging with us), you acknowledge that we may collect, use and transfer your Personal Information as set out in this Privacy Notice.

For the purposes of the Protection of Personal Information Act Legislation, ARC is a responsible party and must observe the provisions of the act when processing your personal information.

2. THIS PRIVACY NOTICE COVERS

- a) Personal Information that we collect
- b) How we collect personal information
- b) Personal Information that we receive from other sources
- c) What we do with your Personal Information
- d) How we share your Personal Information
- e) Social media content consent
- f) Our security measures and information about when we delete data
- g) How you can access and update your Personal Information
- h) Retention of records
- h) Complaints

3. PERSONAL INFORMATION THAT WE COLLECT

- a) When you engage with us (e.g. sending us emails, contacting us via telephone or visiting or making an enquiry through the Website), you may provide Personal Information about yourself including your name and contact details (e.g. your address, email address and telephone number) and your job title and CV when you apply for a role with us. If you consider purchasing from us, you may also provide us with various other necessary Personal Information (e.g. your bank details). Where you make use of our Site, we may also collect information about your use of the Site (e.g. your IP address and choice of web browser). Some of this Personal Information is collected and processed so we can perform a contract with you, some for the purpose of legal compliance and some for the purposes of our legitimate business interests (namely to carry out and improve our business, analyse the use of our Site and services and support our staff and customers).

- b) Where you give feedback to or contact us we will only ever use your Personal Information to respond directly to you in relation to your feedback and/or comment.

4. HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

With regard to the personal information we collect, we make use of a number of technologies that collect personal information automatically:

- a) **Cookies:** Cookies are small files that are saved onto your computer, which track, save and store information about how you use this website. In some instances, these cookies are needed for the website to function. You can disable them in your browser, but this may interfere with the proper functioning of the website.
- b) **Google analytics:** This is tracking software from Google, which we use to monitor how users interact with the website, in order for us to improve its functionality and content.
- c) **Web-server software:** This delivers web pages to your browser. The web-server software will automatically collect your IP address whenever you connect to the website.
- d) **YouTube:** This is software used to display videos. We do not collect personal information from you by placing these videos on our site or through you viewing them, but Google Inc. (which owns YouTube) collects personal information when videos are placed on webpages.
- e) **Add To Any:** This is software that is used to place social media buttons on our website, which allows you to share content on our website through social media. We do not collect personal information by placing these buttons on our site, but the Add To Any Company does.

5. PERSONAL INFORMATION WE RECEIVE FROM OTHER SOURCES

- a) We may receive information from third parties who collect Personal Information from you and pass it on to us, for example, for fraud prevention.
- b) Our staff may also give us emergency contact information as part of our emergency scenario planning and may give us details of their dependents and of other people in relation to their employee benefits arrangements.
- c) Where this is the case, the third party is responsible for obtaining the relevant consents from you to ensure you are happy with the ways in which your Personal Information will be used.

6. WHAT WE DO WITH YOUR PERSONAL INFORMATION

We will only use your Personal Information in order to:

- a) Supply the services you have requested and correspond with you,
- b) Provide support to you in respect of these services,
- c) Improve our Site and services,
- d) Use for social media,
- e) For our internal business processes, including providing support to our staff,
- f) Where relevant, process your application for employment.
- g) Where you have explicitly consented at the time we collected your Personal Information or where we otherwise have a right to do so, we may also use your Personal Information to let you know about our services, and job openings that may be of interest to you and/or inform you about important changes or developments to our services, by post, telephone and e-mail.
- h) From time to time, we may also use your Personal Information to contact you for market research purposes. We may contact you by email, phone or mail. This will only happen where you have opted-in to receive such communications.

7. HOW WE SHARE YOUR PERSONAL INFORMATION

- a) In certain circumstances, we may pass your Personal Information to carefully selected third parties. We will never pass your Personal Information for such purposes unless you have allowed us to do so or we have a lawful right to do so.
- b) If after having given us permission to pass your Personal Information to third parties you change your mind, you can opt out by contacting the ARC by email or written letter via contact details provided in part 10.
- c) By submitting your Personal Information to us, you acknowledge that such third parties may receive and process your Personal Information.

8. ARC SOCIAL MEDIA CONTENT CONSENT

The ARC will occasionally contact users of social media (or other similar platforms) to obtain permission to use their photos, images, content, videos, and audio-visual recordings (content), to feature and be published on or via our social media platforms, webpages, promotional emails, mobile app and other marketing, promotional and advertising materials.

Acknowledgement:

You acknowledge and agree that:

- a) the content was created by you or you have permission from the creator to grant the right to use the content.
- b) you have permission from all individuals featured in the Content to grant the right to use the content.
- c) you, and anyone featured in the content, are 18 years or over.

- d) the content does not infringe the intellectual or other rights of third parties, including copyright, trademark, patent, design, trade secret, moral, proprietary, or other rights; and
- e) the content is not defamatory, fraudulent, threatening, intimidating, harassing, inappropriate, harmful, hateful, abusive, tortious, obscene, invasive of another's privacy, sexist, racist, violent, degrading or otherwise unlawful.

Authorisation:

- a) In consideration for the mutual promises and benefits granted to you in connection with allowing us to use the content, you hereby grant to ARC and its related entities, a perpetual, non-exclusive, transferrable, sub-licensable, worldwide, royalty-free licence to use the content in any manner determined in ARC's discretion.
- b) We may use, display, reproduce, distribute, transmit, create derivative works, modify, alter, edit, or otherwise use the content in any manner in ARC's discretion, with no obligation to you whatsoever.
- c) The content may be posted, uploaded, broadcasted, live steamed or otherwise shared or used for marketing, promotional and advertising purposes, on our website at www.arc.agric.za and via our social media channels, including Facebook, LinkedIn, Twitter, Youtube, Instagram etc.
- d) ARC is under no obligation to use the content. If ARC does use the content, we may remove such content from our social media platforms, webpages and other marketing, promotional and advertising materials at any time and for any reason without giving any notice to you.
- e) You understand that the content may contain or reveal your personal information (i.e. identify you or be capable of identifying you). To the extent that the content contains your personal information or sensitive information, you consent to our collection of that information, and you grant ARC the right to use and publish your personal or sensitive information, including your social media username, profile handle, tags (including location tags), hashtags, location information and any other identifying information in connection with use of the content in accordance with these terms.

9. OUR SECURITY MEASURES AND INFORMATION ABOUT WHEN WE DELETE DATA

- a) We take steps to protect your Personal Information from unauthorised access and against unlawful processing, accidental loss, destruction and damage.
- b) We will only keep your Personal Information for as long as we reasonably require and, in any event, only for as long as the Protection of Personal Information Act allows.
- c) Where you have chosen a password, which allows you to access certain parts of the website, you are responsible for keeping this password confidential. We advise you not to share your password with anyone.
- d) Disclaimer of liability. The ARC and/or the other parties involved in the provision of the services and any third party data or content provider shall not be responsible for and disclaims all liability for any loss, liability, damage (whether direct, indirect or consequential), personal injury or expense of any nature whatsoever which may be suffered by you or any third party (including your company), as a result of or which may

be attributable, directly or indirectly, to your access and use of the website, any information contained on the website, or your or your company's personal information or material and information transmitted over our system.

- e) ARC will regularly conduct a privacy impact assessment to consider the risk associated with loss of various categories of data.

10. ACCESSING AND UPDATING YOUR PERSONAL INFORMATION

You have the right to ask us not to process your Personal Information for marketing or research purposes. We will usually inform you (before collecting your Personal Information) if we intend to use your Personal Information for such purposes or if we intend to disclose your Personal Information to any third party for such purposes.

11. RETENTION OF RECORDS

- a) Records of personal information will not be kept any longer than is necessary for achieving the purpose for which the information was collected. Records may be kept for longer under the following instances:
- b) When required by law;
- c) Reasonably required for lawful purposes related to its activities and functions;
- d) Required by contract;
- e) Consent -under POPI consent has to be specific, voluntary and informed; and
- f) For historical, research and statistical purposes.

12. COMPLAINTS

- a) Should you have any queries or complaints in relation to how we use your Personal Information, please contact us.
- b) The ARC has appointed the Information Officer for you to contact if you have any questions or concerns about the ARC's personal data protection notices, policies, procedures and/or practices. The contact details are as follows:

Agricultural Research Council

Physical Address:	Postal Address:
1134 Park Street	P.O. Box 8783
Hatfield	Pretoria
Pretoria	0001
0083	
Tel: 012 427 9700	
Email: privacy@arc.agric.za	

- c) Should you wish to take any complaints or queries further, you have the right to contact the Information Regulator regarding such issues. The contact details are:

Information Regulator

Physical Address:	Postal Address:
JD House	P.O. Box 31533
27 Stiemens Street	Braamfontein

Braamfontein
Johannesburg, 2001

2017

Tel: 010 023 5200

Email: enquiries@infoeregulator.org.za

- d) Our Site may, from time to time, contain links to and from third party websites. If you follow a link to any of these websites, please note that these websites have their own privacy notices or policies and that we do not accept any responsibility or liability for these websites or their related notices or policies. Please check these notices and policies before you submit any Personal Information via these websites.
- e) Applicable laws. Users of the ARC website recognise the global nature of the content available on or via the website and thus, agree to comply with all applicable local laws in their jurisdiction when using the website. Any relevant terms and conditions, policies and notices shall be governed by and construed in accordance with laws of the Republic of South Africa without giving effect to any principles of conflict of law. You hereby consent to the exclusive jurisdiction of the High Court of South Africa in respect of any disputes arising in connection with website, or any relevant terms and conditions, policies and notices or any matter related to or connection therewith.

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Copyright and all intellectual property rights of the website in all materials, text, images, drawings and data (and any component thereof) made available on this website (collectively 'material') are owned by ARC or other Parties that are providing services to ARC for the functioning of this website. ARC is the lawful user thereof and both South African and international intellectual property laws protect the materials. You are not permitted to re-produce, re-transmit, reverse engineer, distribute, disseminate, publish, perform, broadcast, make an adaptation of, sell, offer, expose or hire any copy of the materials without the prior written permission of the ARC.