

PRIVACY

POLICY

APEX

Prepared in accordance with the Protection of Personal Information Act, 2013 (No. 4 of 2013), Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002) and related legislation

FOR APEX

Apex ("Apex", "we", "us", or "our") is committed to protecting the privacy and personal information of its stakeholders. This Privacy Policy sets out the principles and practices relating to the collection, usage, processing, storage, retention, transfer, and safeguarding of personal information in compliance with the Protection of Personal Information Act, 2013 ("PoPIA"), as well as the principles set out in Sections 50 and 51 of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002) and other applicable laws.

TABLE OF CONTENTS

1. DEFINITIONS
2. COLLECTION AND PROCESSING OF PERSONAL INFORMATION
3. PURPOSES OF PROCESSING
4. USE OF COOKIES AND ANALYTICS
5. DISCLOSURE TO THIRD PARTIES
6. CROSS-BORDER DATA TRANSFERS
7. DATA SECURITY
8. DATA SUBJECT RIGHTS
9. RETENTION AND DESTRUCTION
10. INFORMATION OFFICER CONTACT
11. COMPLIANCE, ENFORCEMENT AND POLICY AMENDMENTS
12. COMPLAINTS

1. DEFINITIONS

- **Personal Information** means information relating to an identifiable, living, natural person, and where applicable, to an identifiable, existing juristic person, as defined in PoPIA.
- **Processing** entails any operation or set of operations whether or not by automatic means, concerning personal information, including collection, receipt, recording, storage, updating, modification, retrieval, use, dissemination, distribution, or erasure.
- **Responsible Party** is Apex, which determines purpose and means for processing personal information.
- **Operator** refers to any person or entity processing personal information for Apex in terms of a contract or mandate, without coming under its direct authority.
- **Implied Consent** refers to a form of consent that is not expressly granted by a person but rather inferred from their actions, behaviour, or the context of the interaction. Under PoPIA and applicable laws, implied consent may be relied upon where it is reasonable to conclude that the data subject has knowingly provided personal information for a specific purpose.

2. COLLECTION AND PROCESSING OF PERSONAL INFORMATION

Apex collects personal information directly from data subjects or via legitimate third parties, only to

the extent necessary for purposes related to business operations, regulatory compliance, or contractual obligations. Where practicable, Apex informs data subjects prior to or at the time of collection of the specific information being collected and the purpose for such collection.

In exceptional circumstances, Apex may rely on implied consent for the collection and processing of personal information, where such consent is reasonably inferred from the data subject's actions or the context of the interaction. This approach is applied in accordance with the Protection of Personal Information Act (PoPIA) and other applicable legislation.

These exceptional circumstances include, but are not limited to situations where such action is necessary to:

- Comply with legal obligations or processes served on Apex;
- Respond to lawful requests from law enforcement or government authorities;
- Protect and enforce Apex's rights or property, including the enforcement of contractual agreements;
- Safeguard the public interest;
- Act in urgent circumstances to protect the personal safety of Apex employees or members of the public;
- Where applicable, rely on implied consent; and
- To the extent permitted or required under the Protection of Personal Information Act (PoPIA), the National Credit Act (NCA), or other relevant legislation.

3. PURPOSES OF PROCESSING

Personal information is collected and processed for legitimate business purposes, including but not limited to:

- Executing client transactions and fulfilling contractual obligations;
 - Comply with legal, regulatory, and industry requirements;
 - Communicating with data subjects;
 - Developing, improving, and personalising Apex's products and services;
 - Marketing, subject to mandatory opt-in and opt-out provisions by law;
- and Ensuring security and preventing fraud.

4. USE OF COOKIES AND ANALYTICS

Apex's online properties may employ cookies and similar tracking mechanisms to enhance functionality and user experience. All personally identifying information collected through web

technologies is handled strictly in accordance with this Policy; users are informed of cookie usage and provided options to control preferences, in line with legislative requirements.

Apex may also use third-party analytics tools, including vendors located outside the Republic of South Africa, to analyze website usage and improve services. Any data shared with such vendors will be anonymized and handled in accordance with applicable data protection laws.

Apex may collect anonymous data for statistical analysis and campaign optimization. This data does not include personally identifiable information and is used solely to improve user experience and service delivery. Examples include tracking page visits, browser types, and general usage patterns.

5. DISCLOSURE TO THIRD PARTIES

Personal information may be disclosed to or processed by approved operators or third parties only where:

- Such third parties provide sufficient guarantees for implementing appropriate technical and organisational measures in accordance with PoPIA;
- Processing is contractually limited to Apex's mandate;
- Disclosure is required or authorised by law or legal process; and
- Data subject consent has been obtained.

Apex's website may contain links to third-party websites. These external sites may collect personal information, including through cookies or other tracking technologies. Apex is not responsible for the privacy practices or content of such third-party websites. Users are encouraged to review the privacy policies of any external sites before providing personal information.

6. CROSS-BORDER DATA TRANSFERS

Apex will not transfer personal information outside the Republic of South Africa unless:

- The recipient country has laws affording similar protection as PoPIA;
- The data subject consents to such transfer;
- It is necessary for the performance of a contract, or otherwise permitted or required by law; and
- Adequate safeguards such as standard contractual clauses are implemented.

7. DATA SECURITY

Apex employs appropriate, reasonable, and industry-standard technical and organisational security measures to prevent unauthorised or unlawful processing, loss, destruction, or damage of personal information. Apex regularly reviews its information security practices and compliance frameworks.

8. DATA SUBJECT RIGHTS

Data subjects have the right, upon written request and subject to verification procedures, to:

- Access and request copies of their personal information held by Apex
- Request the correction or deletion of inaccurate, irrelevant, excessive, or unlawfully obtained data
- Object to processing for certain purposes (including direct marketing)
- Request restriction of processing pending dispute resolution
- Lodge a complaint with the Information Regulator
- Requests must be addressed to the Information Officer at the contact details listed below.

9. RETENTION AND DESTRUCTION

Personal information is retained solely for the period necessary to fulfil the purposes for which it was collected, to comply with legal or regulatory requirements, or pursuant to contractual obligations.

Upon expiry of the retention period, personal information is securely destroyed or de-identified.

10. COMPLIANCE, ENFORCEMENT AND POLICY AMENDMENTS

Apex shall implement ongoing monitoring mechanisms to ensure consistent adherence to the provisions of this Privacy Policy. Such compliance oversight shall be conducted at regular intervals and in accordance with applicable legal and regulatory requirements.

Apex reserves the right to amend or update this Privacy Policy from time to time. The version of this Privacy Policy published on Apex's official website at any given time shall constitute the prevailing and enforceable version, and shall be deemed to be in full force and effect from the date of such publication.

Data subjects and website visitors may direct any queries, requests for further information, or

concerns relating to this Privacy Policy or the processing of their personal information to Apex at the following email address: dylan@apexessentialsolutions.co.za. All such communications shall be addressed promptly and in good faith, in accordance with the principles and obligations set out in this Privacy Policy and applicable data protection legislation.

11. COMPLAINTS

Should a data subject believe that Apex has infringed upon applicable privacy laws or the provisions of this Policy, they may lodge a complaint directly with the Information Regulator at complaints.IR@justice.gov.za