

# MAERSK EXTERNAL PRIVACY STATEMENT/POLICY

## SOUTH AFRICA

### 1. Introduction

1.1. For purposes of this Statement:

1.1.1. **"Applicable Laws"** means all laws, regulations that Maersk is required to comply with;

1.1.2. **"Client"** or **"you"** means any prospective, new or existing client of Maersk and its subsidiaries; and

1.1.3. **"Maersk "** or **"we"** or **"us"** means Maersk South Africa (Pty) Ltd, Maersk A/S (Incorporated in Denmark), Maersk Line Limited (Incorporated in Delaware, U.S.), APM Terminals Trucking South Africa (Pty) Ltd, APM Terminals IS Cape Town (Pty) Ltd, Maersk Logistics and Services South Africa (Pty) Ltd, Safmarine (Pty) Ltd, MAIN STREET 1879 (Pty) Ltd, and Senator International Logistics (Pty) Ltd. To obtain more information on these Companies, please look at <https://www.maersk.com/>

1.2. This Statement sets out how your personal information will be used by Maersk and applies to any information, including personal and special personal information, you give to Maersk or which Maersk may collect from third parties.

1.3. It is important that you read this Statement carefully before submitting any personal information to Maersk.

1.4. By submitting any personal information to Maersk, you provide consent to the processing of your personal information as set out in this Statement.

1.5. The provisions of this Statement are subject to mandatory, unalterable provisions of Applicable Laws.

1.6. Please do not submit any personal information to Maersk if you do not agree to any of the provisions of this Statement. If you do not consent to the provisions of this Statement, or parts of the Statement, Maersk 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 Statement, please contact the Information Officer:

Company Name	IO	Deputy Information Officer/s	Relevant Department	Registered Office, Postal Address & Telephone Number
<p>Maersk South Africa (Pty) Ltd. (Including Africa Regional Office)</p> <p>Maersk A/S (Incorporated in Denmark)</p> <p>Maersk Line, Limited (Incorporated in Delaware, U.S.)</p>	<p>Lubabalo Mtya: <a href="mailto:Lubabalo.Mtya@maersk.com">Lubabalo.Mtya@maersk.com</a></p>	<p>Rayaan Isaacs: <a href="mailto:Rayaan.Isaacs@maersk.com">Rayaan.Isaacs@maersk.com</a></p>	IT & Cyber Security	<p>Roggebaai Place, 4 Jetty Street Foreshore Cape Town 8001</p>
		<p>Mariana Lotter: <a href="mailto:Mariana.Lotter@maersk.com">Mariana.Lotter@maersk.com</a></p>	Customer Experience & Delivery	
			Africa Transformation & Customer Outcome	<p>021 408 6000</p>
		<p>Tanya Moodley: <a href="mailto:Tanya.Moodley@lns.maersk.com">Tanya.Moodley@lns.maersk.com</a></p>	Sales & Marketing	
		<p>Kate Craven: <a href="mailto:Kate.Craven@maersk.com">Kate.Craven@maersk.com</a></p> <p>Vanessa Van Wyk: <a href="mailto:Vanessa.VanWyk@maersk.com">Vanessa.VanWyk@maersk.com</a></p>	Human Resources	Africa Human Resources
		<p>Charl Pienaar: <a href="mailto:Charl.Pienaar@maersk.com">Charl.Pienaar@maersk.com</a></p>	Compliance	

			Group Internal Audit
		Emil Muller: <a href="mailto:Emil.Muller@maersk.com">Emil.Muller@maersk.com</a>	Container Sales
		Sitara Gaffoor: <a href="mailto:Sitara.Gaffoor@maersk.com">Sitara.Gaffoor@maersk.com</a>	HSSE & Office Management
		Marie-Elize Luyt: <a href="mailto:Marie-Elize.Luyt@maersk.com">Marie-Elize.Luyt@maersk.com</a>  Stefano Bergonzoli: <a href="mailto:Stefano.Bergonzoli@maersk.com">Stefano.Bergonzoli@maersk.com</a>	Legal
		Sitara Gaffoor: <a href="mailto:Sitara.Gaffoor@maersk.com">Sitara.Gaffoor@maersk.com</a>	Finance
			Africa Region Finance
		Birgit Faustmann: <a href="mailto:Birgit.Faustmann@maersk.com">Birgit.Faustmann@maersk.com</a>	Company Secretarial Records
		Mary-Anne Edith Duvenhage: <a href="mailto:M.Duvenhage@maersk.com">M.Duvenhage@maersk.com</a>	LOC
		Garth Robertson: <a href="mailto:Garth.Robertson@Ins.maersk.com">Garth.Robertson@Ins.maersk.com</a>	Product
		Thandeka Buthelezi: <a href="mailto:Thandeka.Buthelezi@Ins.maersk.com">Thandeka.Buthelezi@Ins.maersk.com</a>	Africa Logistics & Services

		<p>Craig Maulson: <a href="mailto:Craig.Maulson@maersk.com">Craig.Maulson@maersk.com</a></p>	Cold Chain Logistics	
		<p>Adhish Alawani: <a href="mailto:adhish.alawani@maersk.com">adhish.alawani@maersk.com</a></p>	Africa External Media Communications	
		<p>Lilian Nganda: <a href="mailto:Lilian.Nganda@maersk.com">Lilian.Nganda@maersk.com</a></p>	Africa Global Crisis Advisories	
APM Terminals Trucking South Africa (Pty) Ltd.	<p>Garth Robertson: <a href="mailto:Garth.Robertson@Ins.maersk.com">Garth.Robertson@Ins.maersk.com</a></p>	<p>Kamalasen Jason Govender: <a href="mailto:Jason.Govender@maersk.com">Jason.Govender@maersk.com</a></p>	Finance	<p>Roggebaai Place, 4 Jetty Street Foreshore Cape Town 8001</p> <p>P.O. Box 27 Cape Town 8000</p> <p>011 277 3663</p>
		<p>Willem Horn: <a href="mailto:Willie.Horn@maersk.com">Willie.Horn@maersk.com</a></p>	HSSE	
APM Terminals IS Cape Town (Pty) Ltd.	<p>Garth Robertson: <a href="mailto:Garth.Robertson@Ins.maersk.com">Garth.Robertson@Ins.maersk.com</a></p>	<p>Kamalasen Jason Govender: <a href="mailto:Jason.Govender@maersk.com">Jason.Govender@maersk.com</a></p>	Finance	<p>Roggebaai Place, 4 Jetty Street Foreshore Cape Town 8001</p> <p>P.O. Box 27 Cape Town 8000</p> <p>021 550 8862</p>
		<p>Willem Horn: <a href="mailto:Willie.Horn@maersk.com">Willie.Horn@maersk.com</a></p>	HSSE	
Maersk Logistics and	<p>Junaid Kathrada: <a href="mailto:Junaid.Kathrada@Ins.maersk.com">Junaid.Kathrada@Ins.maersk.com</a></p>	<p>Xoliswa Mkhoesa: <a href="mailto:Xoliswa.Mkhoesa@maersk.com">Xoliswa.Mkhoesa@maersk.com</a></p>	HSSE	<p>Roggebaai Place, 4 Jetty Street</p>

Services South Africa (Pty) Ltd.		Maanda Mukwevho: <a href="mailto:Maanda.Mukwevho@maersk.com">Maanda.Mukwevho@maersk.com</a>	Finance	Foreshore Cape Town 8001 Cape Town 8000
		Lee Govender: <a href="mailto:Lee.Govender@Ins.maersk.com">Lee.Govender@Ins.maersk.com</a>	CHB	031 336 7500
Safmarine (Pty) Ltd.	Sitara Gaffoor: <a href="mailto:Sitara.Gaffoor@maersk.com">Sitara.Gaffoor@maersk.com</a>			Roggebaai Place, 4 Jetty Street Foreshore Cape Town 8001  P.O. Box 27 Cape Town 8000  021 550 8850
MAIN STREET 1879 (Pty) Ltd.	Sitara Gaffoor: <a href="mailto:Sitara.Gaffoor@maersk.com">Sitara.Gaffoor@maersk.com</a>			Roggebaai Place, 4 Jetty Street Foreshore Cape Town 8001  P.O. Box 27 Cape Town 8000  021 550 8850

Senator International Logistics (Pty) Ltd.	Arnold Eckersley: <a href="mailto:arnold.eckersley@ins.maersk.com">arnold.eckersley@ins.maersk.com</a>	Sheldon Van Niekerk: <a href="mailto:Sheldon.Van.Niekerk@maersk.com">Sheldon.Van.Niekerk@maersk.com</a>	HSSE	Stand 4, Aero Star Business Park, Harvard Lane - Jet Park Road 1459 Jet Park Boksburg South Africa  011 450 3622
		Lawrence Le Ray: <a href="mailto:Lawrence.Le.Ray@ins.maersk.com">Lawrence.Le.Ray@ins.maersk.com</a>	Finance	
		Willem Malherbe: <a href="mailto:Willem.Malherbe@ins.maersk.com">Willem.Malherbe@ins.maersk.com</a>	Product	
		Michelle Olivier: <a href="mailto:Michelle.Olivier@ins.maersk.com">Michelle.Olivier@ins.maersk.com</a>	CHB	

### 3. Amendment of this Statement

- 3.1. We may amend this Statement 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 Statement 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 Maersk, 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 Maersk 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. Maersk takes your privacy and the protection of your personal information very seriously, and we will only use your personal information in accordance with this Statement 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 Maersk 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 Maersk.

#### 5. **Information which we may collect about you**

- 5.1. We may collect the following information about you:
  - 5.1.1. 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;
  - 5.1.2. records of correspondence or enquiries from you or anyone acting on your behalf;
  - 5.1.3. details of transactions you carry out with us;
  - 5.1.4. details of contracts, sales or leases you carry out with us;
  - 5.1.5. identification documents;
  - 5.1.6. credit records;
  - 5.1.7. sensitive or special categories of personal information, including biometric information, such as images, fingerprints and voiceprints or voice recordings.
- 5.2. 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 Statement.

## **6. How we collect information**

- 6.1. You may provide personal information to us either directly or indirectly (through an agent acting on your behalf, or an introducer), by completing an application form for our products and services or requesting further information about our products and services, whether in writing, through our website, over the telephone or any other means.
- 6.2. We may also collect your personal information from your appointed agent, booking party, any regulator, or other third party that may hold such information.

## **7. Use of information collected**

- 7.1. We may use, transfer and disclose your personal information for the purposes of:
  - 7.1.1. providing you with the services, products or offerings you have requested, and notifying you about important changes to these services, products or offerings;
  - 7.1.2. managing your account or relationship and complying with your instructions or requests;
  - 7.1.3. detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;
  - 7.1.4. assessing and dealing with complaints and requests;
  - 7.1.5. operational, marketing, auditing, legal and record keeping requirements;
  - 7.1.6. verifying your identity or the identify of your beneficial owner;
  - 7.1.7. 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;



- 7.1.8. complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government and tax collection agencies;
  - 7.1.9. recording and/or monitoring your telephone calls (i.e. voice recordings) and electronic communications to/with Maersk in order to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;
  - 7.1.10. conducting market research and providing you with information about Maersk's products or services from time to time via email, telephone or other means (for example, events);
  - 7.1.11. where you have unsubscribed from certain direct marketing communications, ensuring that we do not send such direct marketing to you again;
  - 7.1.12. disclosing your personal information to third parties for reasons set out in this Statement or where it is not unlawful to do so;
  - 7.1.13. monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from Maersk or any of its employees, agents or contractors, including monitoring, recording and using as evidence all telephone communications between you and Maersk;
  - 7.1.14. improving or evaluating the effectiveness of Maersk's business or products, services or offerings;
  - 7.1.15. in dealing with export and import cycles;
  - 7.1.16. prevention and control of any disease.
- 7.2. The majority of the juristic and/or natural person's personal information (including their individual employees) we collect and use for marketing purposes relates to customers and/or vendors and other companies with which we have an existing business relationship. We may also obtain contact information from public sources, including content made public at social media websites, to make an initial contact with a relevant individual at a customer, vendor or other company. We send commercial e-mails to individuals at our customers, vendors or other companies with whom we want to develop or

maintain a business relationship in accordance with applicable marketing laws. Our targeted e-mail messages typically include web beacons, cookies, and similar technologies that allow us to know whether you open, read, or delete the message, and links you may click. When you click a link in a marketing e-mail you receive from Maersk, we will also use a cookie to log what pages you view and what content you download from our websites, even if you are not registered at or signed into our site. Targeted e-mails from Maersk may include additional data privacy information, as required by applicable laws. You can exercise your right to prevent marketing communications to you by checking certain boxes on the forms we use to collect your personal information, or by utilizing opt-out mechanisms in e-mails we send to you. You can also exercise the right to discontinue marketing communications to you, or to have your personal information removed from our databases at any time by contacting us at [dataprivacy@maersk.com](mailto:dataprivacy@maersk.com) and/or [APMTdataprotection@apmterminals.com](mailto:APMTdataprotection@apmterminals.com). In such cases, we will retain minimum personal information to note that you opted out in order to avoid contacting you again.

- 7.3. By providing any personal information to us, you agree that we may need to transfer your personal information to countries which may not have similar data protection laws to the country where your personal information was collected, such as the USA, India, and countries within the European Union. We may do so for storage purposes, to give effect to a contract, and as set out under Clause 7.1.

## 8. **Disclosure of your information**

- 8.1. Your personal information may be shared with Maersk's subsidiaries, our agents, sub-contractors, booking agents and selected third parties who process the information on our behalf.
- 8.2. We may also disclose your personal information to third parties in the following circumstances:
  - 8.2.1. to any of our service providers;
  - 8.2.2. to any other of Maersk's subsidiaries, business partners or other third parties to –
    - 8.2.2.1. assess and monitor any of your applications for Maersk's products or services;

- 8.2.2.2. determine which products and services may be of interest to you and/or to send you information about such products and services, unless you object or choose not to receive such communications;
    - 8.2.2.3. have a better understanding of your circumstances and needs to provide and improve Maersk's products and services;
    - 8.2.2.4. 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.
  - 8.2.3. to any regulator or supervisory authority, including those in foreign jurisdictions, if Maersk is required to do so in terms of Applicable Laws;
    - 8.2.3.1. to a prospective buyer or seller of any of our businesses or assets;
    - 8.2.3.2. 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 Maersk, other clients or other third parties; and/or
    - 8.2.3.3. to your agent or any other person acting on your behalf, or an introducer.
- 8.3. We may transfer your information to another A.P. Moller-Maersk Group entity, 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.
- 8.4. 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 products or services to you if such disclosure is necessary.

## 9. **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.)

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

10.1. 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 Maersk, please review our PAIA Manual located at <https://www.maersk.com/local-information/africa/south-africa> and/or <https://www.apmterminals.com/en/south-africa>

10.2. You may request the correction of personal information Maersk 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, Maersk may limit the products and services offered to you or elect not to open the account.

10.3. 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.

10.4. 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.

## 11. **Complaints**

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

11.2. 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:

Tel: 012 406 4818

Fax: 086 500 3351

Email: [Complaints.IR@justice.gov.za](mailto:Complaints.IR@justice.gov.za)