APPENDIX D: Local Jurisdiction Specific

POPIA South Africa

This Appendix supports the Data Privacy Policy 66.01 providing insight and additional information in relation to the Protection of Personal Information Act 4 of 2013, South Africa ("**POPIA**").

1 Important Definitions under POPIA

"Data Subject"	the person to whom personal information relates
"Filing System"	any structured set of personal information, whether centralised, decentralised or dispersed on a functional or geographical basis, which is accessible according to specific criteria
"Information Officer"	(a) in respect of a public body means an information officer or deputy information officer; or (b) in respect of a private body means the head of a private body;
"Operator"	a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party
"Person"	a natural person or a juristic person
"Personal Information"	information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; (b) information relating to the education or the medical, financial, criminal or employment history of the person; (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person; (d) the biometric information of the person; (e) the personal opinions, views or preferences of the person; (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; (g) the views or opinions of another individual about the person; and

	(h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;
"Processing"	any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; (b) dissemination by means of transmission, distribution or making available in any other form; or (c) merging, linking, as well as restriction, degradation, erasure or destruction of information;
"Record"	any recorded information- (a) regardless of form or medium, including any of the following: (i) writing on any material; (ii) information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored; (iii) label, marking or other writing that identifies or describes any thing of which it forms part, or to which it is attached by any means; (iv) book, map, plan, graph or drawing; (v) photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced; (b) in the possession or under the control of a responsible party; (c) whether or not it was created by a responsible party; and (d) regardless of when it came into existence
"Responsible Party"	a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information
Special Personal Information"	(a) the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or (b) the criminal behaviour of a data subject to the extent that such information relates to- (i) the alleged commission by a data subject of any offence; or (ii) any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings

2 Conditions for Lawful Processing

In order for Processing to be considered lawful it must demonstrate:

a. **Accountability**: a Responsible Party must ensure at all times that the measures implemented to protection Personal Information are complied with.

b. **Limitation on Processing**: Personal Information must be collected and processed lawful in a reasonable manner that does not infringe on the privacy of the Data Subject. Personal information gathered must be adequate, relevant and not excessive. Personal Information may only be Processed if:

i. the Data Subject consents (and the burden of proof to show consent rests on the Responsible Party), it being noted that the Data Subject may withdraw consent and object to further Processing and complain to the Regulator);
ii. it is necessary for the performance or conclusion of a contract;
iii. it is pursuant to a legal obligation;
iv. it is to protect the legitimate interests of the Data Subject;
v. it is in pursuance of the legitimate interests of the Responsible Party or a third party to whom the information is supplied;

c. **Specific Purpose**: the Personal Information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the Responsible Party. The Personal Information may not be retained any longer than necessary for the purposes of achieving the objective for which the information was collected. Once the purpose has been achieved, the Personal Information must be de-identified. deleted or destroyed, unless there is a legal requirement that the information is retained for a particular period prior to destruction or deletion.

d. Openness: The Data Subject has the right to be informed that Personal Information is being collected and processed, before the collection or processing occurs. This includes being informed of the nature, purpose and source from which the Personal Information is collected and the purpose for which it is so collected. In addition, the Data Subject has the right to be informed that Personal Information may be transferred to another country.

e. Safeguards: a Responsible Party must take reasonable, technical and organisational measures to prevent loss and/or unlawful access to the Personal Information**.**

f. Data Subject Participation: all Data Subjects have the right to approach any Responsible Party to ascertain what Personal Information is held by the Responsible Party and to require the Personal Information to be corrected or destroyed/deleted.

3 Data Protection Principles

All South African subsidiaries of Tronox have undertaken an audit to determine the manner in which Personal Information is collected, processed, stored and transferred. All information is stored in a secure manner whether in physical form or electronic form, with limited accessibility and only to those employees that are required to have access for such information.

4 Data Breach

As soon as Tronox becomes aware of any unauthorised access to any Personal Information of a Data Subject, Tronox will inform the Data Subject and the Regulator of such breach and will advise the Data Subject of the nature and extent of the data privacy breach and the manner in which Tronox will address it.

5 Individual Rights

A Data Subject may at any time by means of written request require anonymisation, blocking or deletion of -

i. unnecessary or excessive Personal Information or
ii. Personal Information that has been Processed outside of the requirements of POPIA.

Note: Where there is a legal requirement to retain information for any period, the Responsible Person is entitled to retain the information for the relevant period.

All requests for information by a Data Subject regarding the Personal Information held by a Responsible Party must be provided within 30 days.

Tronox has appointed **Shirley Fodor** as the Information Officer of the South African subsidiaries.