

## Privacy Notice for Business Partners and Website Users

Please read this Privacy Notice carefully. It explains why and how Total Heating Solutions SA (THS) and Total Heating Solutions CC (THS) collects personal data about you or THS receives from you when you access the [www.totalheating.com](http://www.totalheating.com) websites.

This policy also details our policy on how we protect your personal data and for how long we will retain it. THS keeps your personal data as safe and secure as reasonably possible.

- We protect it against loss and unauthorised disclosure or access.
- We will handle your personal data in strict compliance with applicable data protection laws, in particular the **Protection of Personal Information Act, No 4 of 2013**.

This Privacy Notice is applicable for citizens of the Republic of South Africa but also with a view to being compliant with and adhering to the policies of as many territories as possible.

This Privacy Notice has been set up as a Q&A list. It applies to all individual contact persons representing our (potential) business partners such as customers, suppliers or partner companies (**'Business Partners, principals'**). It also applies to all visitors of our premises (**'Visitors'**) and users of our website (**'Website Users'**).

Each Business Partner can find the individual details of its personal data processing in specific sections in this Privacy Notice.

In this Privacy Policy, references to 'we', 'us' or 'our' means Total Heating Solutions. References to 'you' and 'your' are to our Business Partners. Our Privacy Policy must be read together with any other legal notices or terms and conditions available on other pages of our Website or QHSE Systems.

## PRIVACY POLICY INFORMATION

### 1 Who will process my personal data?

The so-called 'Controller' of your personal data are the following legal entities, either acting separately or jointly with associated companies of the THS Group.

#### **Corrosion Monitoring & Bolting Solutions (Pty) Ltd T/A Total Heating Solutions SA**

Unit 2 Murrayfield Ind Zone 5  
Prospecton, Durban  
Kwa Zulu Natal  
South Africa.  
Tel: +27319122212

#### **Total Heating Solutions CC**

Unit 2 Murrayfield Ind Zone 5  
Prospecton, Durban  
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South Africa.  
Tel: +27319122212  
[www.totalheating.com](http://www.totalheating.com)

THS is a leading Regional provider of Thermal Engineering and Corrosion prevention products and solutions. All associated THS entities can be found at [www.totalheating.com/partners](http://www.totalheating.com/partners) or are available upon request from your THS contact (see Section 10). This list may be updated periodically.

### 2 What is the purpose for processing my personal data?

THS will only collect, use and otherwise handle your personal data that may be required for conducting its ordinary course of business or in connection with operating its Websites, including any future e-commerce platforms that may be developed (currently none) and digital products. THS's legitimate business reasons are specified below:

#### **A. Visitors**

Access control to a certain THS location (check-in) including safety briefings and tests at some THS locations required for your health and safety during your stay at THS's premises and when leaving (check-out). (Covid compliance forms / screening and registers)

#### **B. Website Users**

- Dealing with your enquiries and requests; providing technical support if required;
- Information about our products and services;
- Direct marketing including customised offers, local promotions and sales support;
- Potential future provision of an e-commerce platform including financial reports and product availability;
- Hosting and maintaining our Website; ensuring network and information security;
- Statistics and analysis of visits to our Website to measure behaviour and interest in the various content hosted on our Websites. Please refer also to our separate **Cookie Policy** which can be found in our [legal notices](#).

### C. (Potential) Customers

- Dealing with your enquiries and requests;
- Provision of information about THS's products, services and technical-commercial information;
- Direct marketing including customised offers, local promotions and sales support;
- Conducting Customer satisfaction surveys;
- Evaluation of Customer credit worthiness and risk, establishing sales terms and credit policies, and designing an appropriate collection process (Account Receivable Management);
- Contract negotiation; claim and dispute management.

### D. (Potential) Suppliers

- Evaluation and negotiation of the purchase of goods and services required in our business including logistics and transport, consulting, etc.;
- Order management; Receipt of goods and services;
- Management of our billing process and trade credit purchases (Account Payables Management);
- Contract negotiation; claim and dispute management.

## 3 What are the legal grounds for processing your personal data?

Your personal data is processed on the following legal grounds:

- I. Entering into and the **performance of a contract** with you: for example, sales, supply, distribution, agency, transport, cooperation contract, etc. It is inevitable to process your data in order to allow adequate order and supply management or billing commitments;
- II. **Complying with legal obligations** applicable to THS: for example, in the field of health and safety, tax and fiscal matters, etc.;
- III. **THS's legitimate interests**: for example, properly managing and growing our business, providing correct billing information, secure operation of our Website or careful and reliable Customer and Supplier management and network and information security. We only process data in a professional context, in a transparent and secure manner, strictly limited to the minimum required, for legitimate purposes in a business-to-business environment. Therefore our legitimate interests do not conflict with your fundamental right to privacy.
- IV. Your **explicit consent** for most of our data processing activities is not required. Exceptions are possible and where evident, for certain processing activities we will seek your approval. .

## 4 Which categories of your personal data will be processed?

Personal data is all information relating to you or on the basis of which you may be identified. THS only processes personal data of **individuals in their professional capacity** or if it is required for the above purposes. We are not interested in and do not process private e-mail addresses or any other non-professional information unless specially provided by yourself.

**Categories of personal data will include the following:**

### A. Visitors

- Personal identification data such as name, surname, title/position, business contact data such as email address, phone number, mobile, fax, address;
- Your number plate in case of entering our premises by car.

### B. Website Users

- When filling in contact forms: Personal identification data such as name, surname, title/position, business contact data such as email address, phone number, mobile, fax, address;
- Electronic identification data such as username, login data, IP addresses, cookies identifiers, logged data.

### C. (Potential) Customers

- Personal identification data such as name, surname, title/position, business contact data such as email address, phone number, mobile, fax, address;

- Electronic identification data such as username, login data, IP addresses, cookies identifiers, logged data;
- Professional activity (data on professional activities of the person in the file);
- If you explicitly ask THS to make travel arrangements on your behalf, we are obliged to process data as required by the travel agency, airline, train, hotel, transfer provider etc. including financial identification data (bank account numbers, credit or debit cards details) or a copy of your identity card;
- In case of certain small businesses or sole proprietorship standard corporate data may turn out to be your personal data such as VAT or bank account numbers, creditworthiness and financial means (data on income, possessions, investments, financial position);
- Optional: Personal characteristics and specifics (gender, date of birth, civil status, nationality, hobbies, lifestyle, etc.);

## (Potential) Suppliers

- Personal identification data such as name, surname, title/position, business contact data such as email address, phone number, mobile, fax, address;
- Professional activity (data on professional activities of the person in the file)
- If you explicitly ask THS to make travel arrangements on your behalf, we are obliged to process data as required by the travel agency, airline, train, hotel, transfer provider etc. including financial identification data (bank account numbers, credit or debit cards details) or a copy if your identity card;
- Optional: Personal characteristics and specifics (gender, date of birth, civil status, nationality, hobbies, lifestyle, etc.).

## 5 Where do your personal data come from and how do we use your data?

The personal data that we process as described in this Privacy Notice mainly come from you. However, regarding potential Customers we also use publicly accessible information from the Internet, e.g. your company's website or social media site.

### We use your personal data as follows:

1. **Contact Forms:** THS may collect the personal data which you choose to provide when you fill in forms, either at the reception of a specific THS location or on our Website.
2. **Business cards**
3. **Events:** if you register for one of our events, we will share your name, position and company and possibly your professional contact details with the other people that are attending the same event.
4. **For (potential) Customers and Website Users:** If you have given us your contact details, we may contact you by phone or by post for marketing purposes, unless you let us know that you do not want to receive this type of marketing information. We may also contact you for direct marketing purposes by electronic means such as email. At any time you are entitled to opt-out from receiving our marketing communication. You can opt-out free of charge by using the contact details provided in this Privacy Policy (see Section 10). Alternatively use the 'unsubscribe' option included in any marketing email or other marketing material received from us.

If you choose not to provide personal data requested by us, we may not be able to provide you with the information and/or services you have requested or otherwise fulfil the purpose(s) for which we have asked for your personal data. Aside from this, your visit to the Website will remain unaffected.

## 6 Who will have access to your personal data?

### *Internal use*

#### A. Visitors

The receptionist at the respective THS location. See also below under 'external use'.

#### B. Website Users

IT department; Corporate Communications; Sales and Marketing.

#### C. (Potential) Customers

Sales and Marketing; Technical and Customer Service; Logistics and Supply Chain; Research and Development; Manufacturing; Finance; In-house counsels in case of contract negotiations, claim and dispute management.

#### D. (Potential) Suppliers

Purchase department; any department requiring goods or services; Finance; In-house counsels in case of contract negotiations, claim and dispute management.

### *External use*

#### A. Visitors

Contractors such as security companies and gatekeepers.

#### B. Website Users

Web analytics providers such as Wix.com and or Google Analytics.

### **C. (Potential) Customers**

IT service providers specialised service providers for various business services such as software development, conducting customer surveys, evaluating Customer credit worthiness and risk, marketing and design agencies running (electronic or postal) marketing campaigns, distribution centre's for delivering samples and other promotional material, transport and logistics providers, etc.

### **D. (Potential) Suppliers**

IT service providers for Supplier software programs, cloud processors for data archived in the cloud, etc.

The employees, managers and/or representatives of the above-mentioned external users are obliged to respect the confidential nature of these data and may only use these data in line with THS's instructions. To this end, THS will enter into the required contracts with them as and when required.

## **7 Will your personal data be transferred outside of South Africa?**

For the purposes of administration of THS's Customer and Supplier Relationship Management tools and databases management of our Website, it is inevitable that a THS affiliate or principal located outside the South Africa, such as USA, UK etc our group companies in North and South America and Asia may have access to your personal data or store these personal data. To transfer your personal data in full compliance with the data protection principles, THS has implemented appropriate safeguards in line with the POPI. A copy of these standard data protection clauses is available upon request from your THS contact (see Section 10).

## **8 Will THS make use of automated decision-making?**

No, your personal data will not be used for automated decision-making.

## **9 How long will your personal data be retained?**

Your personal data will be retained no longer than necessary for the purposes described above. In principle, we process and store your data for the duration of our contractual relationship including the negotiation and initiation of the relevant contract. Additionally, we are subject to various retention obligations, which result, amongst others, from civil or fiscal law. Further, specific legal requirements may require longer retention periods, e.g. obligation to safeguard evidence in case of claims.

Please note that each Principal that we have applies its own set of statutory retention and limitation periods. Consequently, THS is subject to a wide-ranging diversity of these periods which can vary between six months up to thirty years upon the end of our business relationship. To ensure compliance with the POPI and GDPR principle of storage limitation, THS regularly reviews its files and deletes personal data that is no longer required on a case-by-case basis.

## **10 What are your rights with regard to the processing of your personal data by THS and who can you contact?**

You have at any time the right to contact THS if you want to:

Access your personal data. This includes the right to ask a copy;

- Rectify your personal data including supplementing incomplete data should the data not be kept accurately ;  
Erase your personal data if there is no (longer a) lawful ground to process it;  
Restrict your personal data if you were to object to the processing or to the accuracy of the processed data or if you wish to retain certain personal data in the context of a possible claim while THS no longer needs the data in the light of the purposes mentioned under Section 3.

You have at any time the right to object to the processing for which THS based itself in Section 3 on the legitimate interest. THS will then cease the processing unless there are compelling legitimate grounds.

Additionally, you also have the right - if you feel that THS did not act in line with data protection legislation - to lodge a complaint with the supervisory authority of your habitual residence, of your place of work or of the place of the alleged infringement.

Your contact at THS for any further information about these rights can be reached under [iaian@totalheating.com](mailto:iaian@totalheating.com) In your email please indicate your primary THS contact, if any, whom we may need to involve in dealing with your request.

## **11 Changes**

We may amend this Privacy Notice from time to time, within the limitation set out by the POPI Act and any relevant national data protection laws. END