



## HEINEKEN BEVERAGES (SOUTH AFRICA) (PROPRIETARY) LIMITED: PRIVACY POLICY

### 1. INTRODUCTION

HEINEKEN Beverages Proprietary Limited., registration number 2003/026165/07, located at Inanda Greens Business Park, Building 1, 54 Wierda Road, Sandton, South Africa (“HEINEKEN”, “we”, “us”) is the responsible party for the processing of your personal information that you provide to us or that we collect about you, as stipulated in paragraph 3 below. We are a member of the global HEINEKEN group of companies, information about the HEINEKEN group of companies can be found here: [www.heinekencompany.com](http://www.heinekencompany.com). We respect your privacy and we are committed to keeping your personal information secure and managing it in accordance with our legal responsibilities under applicable data protection laws including the Protection of Personal Information Act, 2013 (“POPIA”).

Please read this Privacy Policy carefully as it contains important information to help you understand our practices regarding any personal information that you provide to us or that we collect from or about you.

### 2. LEGAL DRINKING AGE AND PURCHASE AGE

You must not provide us with your personal information if you are below the legal age to consume and/or purchase alcohol in the jurisdiction in which you reside and (if different) in the jurisdiction in which you are accessing our website.

This Policy applies to you if you are:

- Visiting our website;
- A customer who has ordered or requested goods or services that we provide; or
- Our data subject.

Acceptance of terms of policy:

- You must accept all the terms of this policy when you order our goods or request our services. If you do not agree with anything in this policy, then you may not order our goods or request our services; and
- By accepting this policy, you are deemed to have read, understood, accepted, and agreed to be bound by all of its terms.

### 3. WHEN AND HOW WE COLLECT YOUR PERSONAL INFORMATION

We collect your personal information:

- **prior to you attending an event of ours:** This can be via an entry mechanism such as purchasing an event ticket or registering electronically, whereby your personal information would be required in order to register you as an attendee or to participate in an event of ours. In addition, you may be required to provide your personal information just before you attend an event of ours so that you may get access to the event;
- **during an event:** Some of our events have activities in which participants or attendees can enter into or participate in, and these may require you to provide your personal information;
- **through purchases of our products from customers/outlets of HEINEKEN:** From time to time, our customers would require your personal information when purchasing our products from them. This personal information would be shared with us for one or more of the purposes described below; and/or
- **via promotional competitions or campaigns of HEINEKEN:** We require and collect your personal information when you enter into one or more of our promotional competitions or campaigns (including on social media).
- **when you enter into a contractual relationship:** with us or open an account with us so that you are registered as a customer on our database; order and/or buy a product(s) from us (including buying products online, over the phone or by other forms of communication); sign up in order to participate in our programmes; apply for stock credit by completing our customer account application forms; or lodge a



complaint about our products or services.

In addition, we collect your personal information during the performance of contracts that we have with you and when we interact with you for business purposes, such as interaction between you and our employees or agents/service providers.

#### **4. INFORMATION THAT WE COLLECT ABOUT YOU**

We collect the following personal information about you:

- Your full name and surname;
- Gender;
- Date of birth;
- Physical address;
- Contact number; and
- Email address.

For our customers

- Full name and surname/entity name;
- Registration number;
- Value added tax number;
- Shipping address;
- Financial information such as your bank account details, financial statements, management accounts;
- Liquor license number;
- Identity number;
- Date of birth;
- Physical address;
- Contact number; and
- Email address.

Your personal information is required in order for you to participate in our marketing activities as provided above and for the purposes stipulated below. Failure to supply this personal information will not enable you to participate in our marketing activities.

#### **5. PURPOSES FOR PROCESSING YOUR PERSONAL INFORMATION**

We process your personal information for one or more of the following purposes:

- **Analytics and insights**
  - Based on the personal information that you provide to us or that we collect about you, we are able to analyse and evaluate how you respond to our products and to our marketing activities such as campaigns, competitions, advertisements and promotions, and to manage the quality and value of our engagements with you.
  - Through analysing our engagements with you, your response to our marketing activities and your participation, we are able provide useful feedback to you; understand your requirements, preferences and needs thereby improving our service delivery and improving your experience when engaging with us.
- **Audit and record keeping purposes**
  - We create an internal consumer database based on the personal information that you provide to us or that we collect about you.
  - This database enables us to keep track of all our active consumers for the purposes of our marketing activities.

- **Market research purposes**
  - We may from time to time, request you to participate in research activities such as surveys, which will enable us to assess the effectiveness of our marketing activities.
  - This is done via market or customer/consumer satisfaction research.
- **Monitoring and auditing site usage**
  - For any marketing activities where you are required to visit a website to provide your personal information or to participate in such marketing activity, we will collect certain information when you visit such website (s), such as your IP address, which web pages you visit, device category, browser, and type of internet browser, clicks and views. We use this personal information as it is necessary in our legitimate interests to do so to be able to improve your experience on such website (s) including to track traffic flows and to make our website (s) easier for you to use and to better understand how our websites are used, for maintenance and analysis of our website (s) to solve performance issues and to improve the availability and user experience. In the event that the website (s) are third party websites, such third party would be in control of the monitoring and auditing of your site usage. We urge you to review any privacy policy on any such third party site before using the site or providing any personal information about yourself and others.
- **Send you marketing messages**
  - We can send you messages (including electronic communications) offering you the opportunity to take part in our competitions or promotions or campaigns or events or surveys. This can also include suggesting products or services, which we think, may be of interest to you or notifying you about our future events.
- **Support services**
  - To respond to any questions, queries or comments that you have that you address to us.
  - To notify you about changes to our activities or services.
- **To comply with legal and regulatory requirements or industry codes to which we subscribe**
  - Where it is necessary to process your personal information to comply with a legal obligation or industry codes, which apply to us – such as proving that you are of legal drinking age.
- **Contractual obligation**
  - To establish a contractual relationship with you by carrying out actions that are necessary for the establishment of that relationship such as creating and opening accounts to enable you to order stock from us.
  - To allow for the performance of a contractual relationship including delivery of stock to you and to engage with our employees such as the sales team for the purposes of stock requirements and handling of any queries or complaints about our products or services.
  - To maintain any account that you have with us and manage transactions such as for any products that you order from us.
  - To process orders that we receive from you via email or other methods of communications.
  - To open customer credit accounts which will enable you to order stock on credit.
  - To carry out actions that are necessary for the conclusion or performance of a contract with you when you sign up for our programmes.
- **Legal obligation**
  - To comply with legal and regulatory requirements or industry codes to which we subscribe or which apply to us, or when law otherwise allows it.
- **Legitimate interests**
  - Audit and record keeping purposes*
    - We create an internal customer database based on the personal information that you provide to us or that we collect about you.
    - This database enables us to keep track of all our active customers.
  - Market research purposes*
    - We may from time to time, request you to participate in research activities such as surveys, which

will enable us to assess the effectiveness of our products and services.

- **Monitoring and auditing site usage**
  - Where you are required to visit a website to provide your personal information, we will collect certain information when you visit such website (s), such as your IP address, which web pages you visit, device category, browser, and type of internet browser, clicks and views. We use this personal information as it is necessary in our legitimate interests to do so to be able to improve your experience on such website (s) including to track traffic flows and to make our website (s) easier for you to use and to better understand how our websites are used, for maintenance and analysis of our website (s) to solve performance issues and to improve the availability and user experience. In the event that the website(s) are third party websites, such third party would be in control of the monitoring and auditing of your site usage. We urge you to review any privacy policy on any such third party site before using the site or providing any personal information about yourself and others.

## **6. DIRECT MARKETING**

Direct Marketing means *to approach a data subject (such as yourself) either in person or by mail or electronic communication for the direct or indirect purpose of promoting or offering to supply, in the ordinary course of business, any goods or services to the data subject; or requesting the data subject to make a donation of any kind for any reason.*

We may, from time to time, and subject to POPIA, other applicable laws and this Privacy Policy, send you Direct Marketing communications.

Under POPIA we are allowed to send you Direct Marketing by means of electronic communication if:

- a. you have given prior consent to such Direct Marketing; or
- b. if you are an existing consumer of HEINEKEN and:
  - i. we have obtained your contact details in the context of a sale of our product(s) or service(s);
  - ii. for the purpose of Direct Marketing of our own similar products or services; and
  - iii. if we have given you reasonable opportunity to object, free of charge and in a manner free of unnecessary formality, to such use of your contact details at the time that your details were collected and on the occasion of each communication with you for the purpose of marketing if you have not initially refused such use.

You can opt out of receiving Direct Marketing communications from us at any time. Any Direct Marketing communications that we send to you will provide you with the information on how to opt out from receiving Direct Marketing communications from us. Any opt out requests (or withdrawal of consent from receiving direct marketing messages) must be done using the opt out details provided on the direct marketing communications.

## **7. USE OF COOKIES**

We use “cookies” on our website. They enable us to improve your future visits to our site as well as provide you with a more user-friendly experience. You can read more about this on our “Cookie Policy” that can be found on this website [www.heinekenbeverages.co.za](http://www.heinekenbeverages.co.za)

## **8. DISCLOSURE OF PERSONAL INFORMATION**

We share your personal information with the following:

- As we are a member of the global HEINEKEN group of companies, we may share your information within the HEINEKEN group (i.e. our affiliates) if we require support services from the group such as information technology support/maintenance, legal support and to perform certain functions which we are not able to perform, without their support;
- our agents, advisers, business partners and service providers (our creative, brand, digital, marketing and media agencies) in order to run our marketing activities including those that send direct marketing

messages on our behalf;

- our legal advisors who advise on applicable laws and legal requirements;
- a third party who would require information about our relationship with you, in the event of a transfer or a sale to such third party or establishment of a relationship with a third party, such as a merger, consolidation, change in control, sale of shares, sale of assets, sale of business;
- our employees who require your personal information to do their jobs. Our employees are contractually bound to keep all confidential information confidential and to protect personal information; and
- government and law enforcement agencies, where the law requires that we disclose your personal information to such government and law enforcement agencies.

## **9. SECURITY OF YOUR PERSONAL INFORMATION**

We take all reasonable and appropriate technical and organisational measures to protect your personal information. This includes installation of firewall and security monitoring. We back-up all your personal information on a regular basis. Where we share your personal information with third parties (as listed in paragraph 8 above), we enter into agreements with such parties whereby we require such third parties to use reasonable and appropriate measures to protect the confidentiality and security of your personal information.

## **10. TRANSFER OF YOUR PERSONAL INFORMATION TO OTHER COUNTRIES**

Your personal information may be transferred to another country. For example, we may host (or store) your personal information in a data centre outside South Africa, if we are able to remotely access your personal information from abroad or when we share with our related entities as part of our reporting procedures or one of our IT suppliers provides off-premise maintenance and support services from outside South Africa. Countries to which we transfer personal information may have different privacy standards than the ones in South Africa. We will always comply with the requirements under the applicable data protection laws in South Africa such as the POPIA for the international transfer of personal information. If we transfer your personal information to a country that does not offer an adequate level of protection we will ensure that we have put in place adequate safeguards to protect your personal information or otherwise ensure that we can transfer your information in a way that complies with data protection law.

## **11. RETENTION OF YOUR PERSONAL INFORMATION**

- We will keep your personal information for as long as is necessary to fulfil the purposes that is described in this policy, and provided such retention is authorised by law.
- For direct marketing purposes, we will delete or de-identify your personal information when you opt out of receiving any direct marketing messages. However, we will keep your contact number to ensure that we do not send you any further direct marketing messages in the future.
- Where you have made a purchase of our products, we will keep records of your purchases necessary for tax purposes, invoices and other legal obligations.

## **12. YOUR RIGHTS**

You have a number of rights in relation to your personal information and these are:

- the right to access your personal information (i.e. obtain an overview of your personal information that we process). Further details on how you can request access to your personal information are found on our PAIA Manual that is found on our website;
- the right to have your personal information corrected, updated rectified or erased or to restrict the processing of your personal information;
- where we rely on your consent for the processing of your personal information, you may withdraw your consent at any time and you can object to some of the ways we use your personal information. You can request us using the details under “**Contact**” below at any time;

- the right to object to the processing of your personal information at any time, on reasonable grounds relating to your particular situation, unless the processing is required by law;
- the right to object to the processing of your personal information, at any time, if the processing is for purposes of direct marketing other than direct marketing by means of unsolicited electronic communications and you have not given your consent for that processing;
- the right not to have your personal information processed for purposes of direct marketing by means of unsolicited electronic communications from third parties unknown to you;
- the right to lodge a complaint with the Information Regulator of South Africa via email at [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za). Further details about the Information Regulator can be found at <https://www.justice.gov.za/infoereg/>.

If you would like to exercise any of these rights, please contact us using the details under “Contact” below. To make sure that we do not provide information about you to someone else, we may ask for your identification before we can process your request.

### **13. UPDATING OR REMOVING**

You may choose to correct or update the personal information you have submitted to us, by clicking the relevant menu in any of the pages on our website or contacting us by phone or email.

### **14. NOTIFICATION OF BREACH**

Where we have reasonable grounds to believe that an unauthorised third party has accessed your personal information and if required by law, we will notify the relevant Regulator and you of the breach. If the law requires us to notify you, we will provide you with sufficient information to allow you to take protective measures against the potential consequences of the breach.

### **15. CHANGES TO THIS PRIVACY POLICY**

We will keep this Privacy Policy under review and make updates from time to time. Any material changes to this Privacy Policy will be posted on our website page and to the extent reasonably possible, will be communicated to you. The changes shall be effective immediately upon the posting of the modified Privacy Policy. We advise you to regularly read this Privacy Policy for possible changes. Please reference the “Last Updated” section at the bottom of this policy to see when this Privacy Policy was last revised.

### **16. CONTACT**

If you have a complaint about how your personal information is processed by us or about our privacy and information protection practices in general, you can contact our Information Officer at [legalsa@heineken.com](mailto:legalsa@heineken.com).

*Last Updated: 05 June 2023*