



Cultivating
CARBON

Privacy Policy

Privacy Policy for Cultivating Carbon

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1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1 "POPIA" Protection of Personal Information Act No. 4 of 2023

2. PURPOSE OF THIS STATEMENT

Cultivating Carbon form part of an ecosystem of companies and experts all sharing the goal to regenerate and restore degraded land. When investing in regenerative agriculture, we apply the highest standards of financial governance and management. We are therefore also committed to demonstrating our compliance with the POPIA and treat your personal information as confidential.

3. COLLECTION OF PERSONAL INFORMATION

We collect your personal information directly from you, in the course of providing our services to you or your entity, and in conducting general communication with us, including in the course of applying for employment with us.

In addition, we may also collect information from you when you visit our website or any of our social media platforms, and when you subscribe to any of our publications.

In compliance with Regulations issued in terms of the Disaster Management Act, we will also collect certain information from you when you visit our office.

4. THE PERSONAL INFORMATION WE PROCESS

In general, we will collect your personal information in so far that it is necessary to protect your legitimate interest or carry out our obligations in terms of our contract with you. Examples of the personal information that we may collect are as follows:

- An identifying number such as an ID number or company registration number.
- Contact details such as an e-mail address, physical address and postal address.

- Education and employment history when you apply for employment.
- Financial information.
- Correspondence of a private or confidential nature.

In certain instances, we may also need to collect what is known as special personal information, such as biometric information, to fulfil our mandate.

In general, we do not process the personal information of children. We are however required in certain instances to do so by law and will only process the information subject to the conditions as set out in POPIA. In any other instance, we will obtain your consent.

5. THIRD PARTIES

We may be required to share your personal information with third parties if:

- The law requires it.
- We have obtained your consent to do it.
- In order to comply with our duties in terms of our contract with you.
- Upon request from regulatory authorities.

The third parties may include, but are not limited to:

- Our partners in our ecosystem.
- The Financial Sector Conduct Authority
- The Financial Intelligence Centre
- The Information Regulator of South Africa.
- Services providers.
- Third party operators.
- Verification agencies.

Where we do engage with third parties we will ensure, to the extent required by applicable law, that they only process your personal information in line with the conditions set out in POPIA and that appropriate security measures are in place to protect your personal information from unauthorised access.

6. TRANSBORDER FLOW OF INFORMATION

We may need to transfer your personal information to parties outside of South Africa in order to comply with our contractual agreement with you. We are however required to ensure that the party, to whom the information is being transferred, is subject to law, has internal policies in place or agreements that provide for protection of personal information in a similar way as POPIA.

7. YOUR RIGHTS

In terms of POPIA you have certain rights in respect of the personal information we processed:

- You have the right to access the personal information we hold about you.
- You can request us to correct or update your personal information.
- You can object to the way we process your personal information.
- You have the right to ask us to delete your personal information. This is, however, subject to our obligation in terms of certain legislation to keep record of the information collected for a longer period.
- You can complain to us about the way we process your personal information. If we cannot resolve your complaint, you may submit a complaint to the Information Regulator of South Africa.

8. HOW TO EXERCISE YOUR RIGHTS

8.1 The right to access your personal information.

If you want to find out whether we hold any of your personal information or if you want to request access to your personal information that we hold, please submit a written request to compliance@wauko.com

8.2 The right to correct, update, delete or destroy your personal information.

If you want to make a request to correct, update, delete or destroy your personal information, you have to submit the request on the prescribed **Form 2**. Refer to **Annexure A** for a copy of the form.

The Information Officer or Deputy Information Officer will inform you of the outcome of your request as soon as possible but within 30 days after receiving the completed Form 2.

If your request is declined, you have the right to:

- Submit a complaint on **Form 5** to the Information Regulator at POPIAComplaints@info regulator.org.za ; or
- Approach a competent court.

Refer to **Annexure B** for a copy of the form.

9. DATA SECURITY

We have implemented reasonable and appropriate technical and organisational measures to ensure the integrity and confidentiality of your personal information we hold. This is to prevent the loss, damage, destruction, or unlawful access to your personal information.

If we, on reasonable grounds believe that an unauthorised person has gained access to your personal information, we will notify you and the Information Regulator, unless the Information Regulator or the responsible investigating authority instructs us otherwise.

10. OUR WEBSITE

Our website uses cookie technology. When you visit our website, cookies are placed on your device. You can alter your settings to prevent the automatic acceptance. If you choose not to accept cookies, this may disable some features of our website. The information collected may be about your device or your preferences and browsing habits.

Our website may also have links to websites or platforms that we do not operate and for which privacy and security policies we are not responsible. Please familiarise yourself with the privacy and security policies of these websites and platforms.

11. CHANGES TO OUR PRIVACY POLICY

Please take note that we may review and update this statement from time to time for any of the following reasons:

- Changes in legislation and regulatory requirements.
- Changes in technology that impact the way we process your personal information.
- To promote fairness and plain language principles.
- Any other reason that Cultivating Carbon may deem to be reasonable and necessary.

The latest version will be published on our website and replaces any previous versions.

12. CONTACT INFORMATION

Please contact us should you have any questions regarding this statement and the exercise of your rights in terms of POPIA at the following address:

The Information Officer

Address: Cultivating Carbon
Unit 2 Devonbosch
Bottelary Road
Koelenhof, 7660

Telephone number: 021 671 2112

E-mail: nic@restore-africa.com

The contact details of the Information Regulator are as follows:

The Information Regulator (SA)

Address: JD House,
27 Stiemens Street,
Braamfontein, Johannesburg, 2001

Telephone number: 010 023 5200

Complaints email address: POPIAComplaints@inforegulator.org.za

General email address: enquiries@inforegulator.org.za

ANNEXURE A – FORM 2

FORM 2

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR
DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS
OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
(ACT NO.4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION,
2017**

[Regulation 3(2)]

Note:

1. *Affidavits or other documentary evidence in support of the request must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

Mark the appropriate box with an "x".

Request for:

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	

*Delete whichever is not applicable

Signed at _____ this _____ day of _____ 20____ .

Signature of Data Subject

ANNEXURE B – FORM 5

FORM 5 COMPLAINT FORM (Regulation 10)

NOTE:

1. This form is designed to assist the Requester or Third Party (hereinafter referred to as “the Complainant”) in requesting a review of a Public or Private Body’s response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“PAIA”). Please fill out this form and send it to the following email address: PAIAComplaints@infoRegulator.org.za or complete online complaint form available at <https://www.justice.gov.za/infoREG/> .
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as “the Body”) an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed PAIA Form 2 and submit it to the Body.
4. A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
6. **Please attach copies of the following documents, if you have them:**
 - a. Copy of the form to the Body requesting access to records;
 - b. The Body’s response to your complaint or access request;
 - c. Any other correspondence between you and the Body regarding your request;
 - d. Copy of the appeal form, if your complaint relate to a public body;
 - e. The Body’s response to your appeal;
 - f. Any other correspondence between you and the Body regarding your appeal;
 - g. Documentation authorizing you to act on behalf of another person (if applicable);
 - h. Court Order or Court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERON / PARTY LODGING A COMPLAINT

(Mark with an "X")

- Complainant personally
- Representative of complainant
- Third party

PREREQUISITES

Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

FOR INFORMATION REGULATOR'S USE ONLY

<i>Received by: (Full names)</i>				
<i>Position</i>				
<i>Signature</i>				
<i>Complaint accepted</i>	Yes		No	
<i>Reference number</i>				

Postal address	Facsimile	Other electronic communication (<i>Please specify</i>)

PART A

PERSONAL INFORMATION OF COMPLAINANT

Full names	
Identity number	
Postal address	

Street address				
E-mail address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			
PART B				
REPRESENTATIVE INFORMATION				
<i>(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)</i>				
Full names of Representative				
Nature or representation				
Identity number / Registration number				
Postal address				
Street address				
E-mail address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			
PART C				
THIRD PARTY INFORMATION				
<i>(Please attach letter of authorisation)</i>				
Type of body	Private		Public	
Name of public / private body				
Registration number (if any)				
Name, surname and title of person authorised to lodge a complaint				
Postal address				
Street address				
E-mail address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			
PART D				
BODY AGAINST WHICH THE COMPLAINT IS LODGED				
Type of body	Private		Public	
Name of public / private body				
Registration number (if any)				
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				

Postal address			
Street address			
E-mail address			
Contact numbers	Tel. (B)		Facsimile
	Cellular		
Reference number given (if any)			

**PART E
COMPLAINT**

Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)

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Date on which request for access to records submitted.			
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.			
Have you attempted to resolve the matter with the organisation?	Yes		No
If yes, when did you receive it? (Please attach the letter to this application)			
Did you appeal against a decision of the information officer of the public body?	Yes		No
If yes, when did you lodge an appeal?			
Have you applied to Court for appropriate relief regarding this matter?	Yes		No
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.			

**PART F
DETAILED TYPE OF ACCESS TO RECORDS**

(Please select one or more of the following to describe your complaint to the Information Regulator)

Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	<i>I have appealed against the decision of the public body and the appeal is unsuccessful.</i>	
----------------------------------------------------------------------	------------------------------------------------------------------------------------------------	--

Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)	<i>I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i>	
Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)	<i>I requested access to information held by a body and that request was refused or partially refused.</i>	
The body requires me to pay a fee and I feel it is excessive (Sections 22 or 54 of PAIA)	<i>Tender or payment of the prescribed fee.</i>	
	<i>The tender or payment of a deposit</i>	
Repayment of the deposit (Section 22(4) of PAIA)	<i>The information officer refused to repay a deposit paid in respect of a request for access which is refused.</i>	
Disagree with time extension (Sections 26 or 57 of PAIA)	<i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension, or a time extension taken to respond to my access request.</i>	
Form of access denied (Section 29(3) or 60(a) of PAIA)	<i>I requested access in a particular and reasonable form and such form of access was refused.</i>	
Deemed refusal (Section 27 or 58 of PAIA)	<i>It is more than 30 days since I made my request and I have not received a decision.</i>	
	<i>Extension period has expired, and no response was received.</i>	
Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record)	<i>Records (that are subject to the grounds for refusal of access) have inappropriately /unreasonable been disclosed.</i>	
No adequate reasons for the refusal of access (Section 56(3)(a) of PAIA)	<i>My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>	
Partial access to record (Section 28(2) or 59(2) of PAIA)	<i>Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.</i>	
Fee waiver (Section 22(8) or 54(8) of PAIA)	<i>I am exempt from paying any fee and my request to waive the fees was refused.</i>	
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	<i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	

Failure to disclose records	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	
No jurisdiction (exercise or protection of any rights) (Section 50(1)(a) of PAIA)	<i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>	
Frivolous or vexatious request (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	
Other (Please explain)		
PART G		
EXPECTED OUTCOME		
How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.		
PART H		
AGREEMENTS		

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

- I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.*
- The information in this Complaint Form is true to the best of my knowledge and belief.*
- I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.*

- I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.*
- If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise, my complaint could experience a delay or even be closed.*

Signed at _____ this _____ day of _____ 20 _____

Complainant/Representative/Authorised person of Third party

ANNEXURE C – FORM 1

FORM 1

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN
TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL
INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL
INFORMATION, 2017**

[Regulation 2(1)]

Note:

- 1. Affidavits or other documentary evidence in support of the objection must be attached.*
- 2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

A	DETAILS OF DATA SUBJECT	
Name and surname of data subject:		
Residential, postal or business address:		
	Code ()	
Contact number(s):		
Fax number:		
E-mail address:		
B	DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party (if the responsible party is a natural):		
Residential, postal or business address:		

	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
Name of public or private body (if the responsible party is not a natural person):	
Business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR OBJECTION (Please provide detailed reasons for the objection)

Signed at this day of 20.....

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Signature of data subject (applicant)