

DATA PROTECTION NOTICE: CATERPILLAR FINANCIAL SERVICES SOUTH AFRICA (PTY) LTD

This privacy notice provides specific information on who is processing your data, how and why it is being processed and your rights with regards to the control of your data when applying for financing through Caterpillar Financial Services South Africa (Pty) Ltd.

Caterpillar Financial Services South Africa (Pty) Ltd and its parent company, Caterpillar Financial Services Corporation, are entities within Caterpillar Inc.'s Financial Products Division, and act as joint controllers for purposes of this privacy notice.

The notice has been drafted in accordance with the Protection of Personal Information Act 4 of 2013 (POPIA) and its Regulations as may be amended from time to time ("**Data Protection Law**").

This local privacy statement provides specific information on how Caterpillar Financial Service South Africa (Pty) Ltd will process your personal information and is supplemental to [Caterpillar's Global Data Privacy Statement](#).

<p>Data Controllers Data controllers are the entities which determine the purposes and means of the processing of personal data</p>	<p>Caterpillar Financial Services South Africa (Pty) Ltd 7a Lindsay Street, Witfontein, Kempton Park, Johannesburg, South Africa Registration Number: [2017/486709/07] Telephone: +27 (11) 961 5050 Email: CFSSAdataprivacy@Cat.com</p> <p>Caterpillar Financial Services Corporation ("CFSC") Address: 2120 West End Avenue, P.O. Box 340001 Nashville, TN, USA 37203-0001 Email: compliance.department@cat.com</p> <p>Caterpillar Inc. ("Caterpillar Inc"); Caterpillar Inc. will act as a controller to the extent that you provide consent to receive marketing via the OneTrust Marketing Preference Centre as outlined herein. 5205 N. O'Connor Boulevard, Suite 100, Irving, TX 75039, USA Email: dataprivacy@cat.com</p> <p>In the case of questions regarding this data protection notice or to exercise the rights outlined herein contact us at: 7a Lindsay Street, Witfontein, Kempton Park, Johannesburg, South Africa Email: CFSSAdataprivacy@Cat.com</p>
<p>Type and origin of data What data do we collect from you and from which sources?</p>	<p>The categories of data which we process in order to process a credit application and administer any related contract include:</p> <p>Personal data may include business details (e.g. company registration number, incorporation documents, shareholding details, organisational charts, business profiles / plans, BEE certificates), business contact information (e.g. work address, work phone number, work email), personal contact information of representatives, directors, shareholders or primary contacts (e.g. home address, personal telephone number, personal email address), identification and personal details of representatives, directors, shareholders or primary contacts (e.g. age, gender), tax identification number, VAT number, pictures, profession and employment history, background information (sanctions and adverse media), financial information including financial statements, bank statements, credit references and bank details, government identifiers (e.g. passport number, identification number or national identifiers).</p> <p>We process data obtained both from (i) you directly, when you complete our forms or other documents as part of our credit application process or when you provide specific information via a Caterpillar website to support a financing request; and (ii) from third party sources including from Cat dealers, external credit or commercial information agencies, market research and the internet.</p>
<p>Primary Processing Purposes Why and how do we use your data?</p>	<p>1. To execute and administer finance contracts.</p> <p>Certain processing of personal data is necessary for the management of finance contracts and conducting pre-contractual measures applicable to the financial product selected, including:</p> <ul style="list-style-type: none"> ➤ For issuing financing offers; ➤ For conducting credit evaluation and making lending decisions; <ul style="list-style-type: none"> ○ Credit checks involving consultation of external credit agency files can be conducted to assess creditworthiness prior to entering the finance contract, in conjunction with the modification of an existing contract or following a default in payment;

	<ul style="list-style-type: none"> ○ Credit evaluation involves the use of statistical risk models and credit scoring tools; however, decisions are not made solely based on these systems; ➤ For conducting contractual administrative procedures, and financial and accounting management relevant to the financial product selected. <ol style="list-style-type: none"> 2. To administer additional services requested in conjunction with the finance contract (e.g. insurance or servicing and maintenance of machines). 3. To respond to your enquiries and provide customer support. 4. To support the recovery of deficiencies and enforce our rights in the case of customer default under the finance contract, including conducting of machine audits and initiating legal proceedings. 5. To comply with legal and regulatory obligations applicable to our operations, including: <ul style="list-style-type: none"> ➤ Fulfilment of customer identification requirements under the prevention of money laundering and financing of terrorism laws and sanctions regulations; ➤ Identification and prevention of fraud risk; and ➤ Document additional legal and regulatory obligations e.g. disclosing of data to banking supervisory authorities, and other governmental authorities, other reporting requirements. 6. To secure and protect our interests/assets, including: <ul style="list-style-type: none"> ➤ To monitor and assess our global credit risk exposure; ➤ To deploy and maintain technical and organizational security measures; and ➤ To conduct internal audits and investigations. 7. To conduct surveys, including through electronic means, to ascertain your satisfaction with our products and services. 8. To send you information, <u>including by electronic means</u>, about <u>our</u> products and services. . <p>The failure to provide personal data would in some cases have the consequence that the finance contract could not be concluded, including:</p> <ul style="list-style-type: none"> ➤ Where processing is necessary to the administration of the contract or the conducting of pre-contractual measures; ➤ Where processing is necessary to fulfil our legal and regulatory obligations or to exercise our legal rights. <p>In addition to the purposes outlined above, data may be de-identified, in which case it is no longer personal data, and may be processed for other purposes.</p>
<p>Justification Legal basis for processing data</p>	<p>In order to be able to process your data, we rely on different legal bases, including:</p> <ol style="list-style-type: none"> 1. The necessity for completion of pre-contractual measures, executing and administering a finance contract, and exercising our rights thereunder. 2. The necessity for us to comply with legal obligations. 3. The necessity to pursue our or a third party legitimate interests, including: <ul style="list-style-type: none"> ➤ To manage the risk and exposure of Caterpillar’s Financial Products Division; ➤ To ensure that our networks and information are secure; ➤ To administer and generally conduct business within the enterprise; ➤ To improve the products and services that we offer to you; and ➤ To provide you with information about the products and services that we offer. <p>In certain circumstances where we are lawfully permitted to rely on legitimate interest to provide you with information about products and service offerings.</p> <p>If the processing is based on the exercising of our or a third party legitimate interests (or those of third parties) you are entitled to object to such processing (with limited exceptions) at any time by contacting us using the contact information outlined above. Please bear in mind that you may only object on reasonable grounds relating to your particular situation and if you object, this may in some cases impact our ability to offer financing to you. We will inform you if your data is disclosed to third parties for the first time or used on their behalf for direct marketing purposes in which case you are entitled to object to such disclosures or uses in certain circumstances.</p> <ol style="list-style-type: none"> 4. Your Consent <p>You may be asked to provide consent to receive communications from the Caterpillar Group on its products and service offerings. Your consent preferences for receiving these types of communications can be updated at any time by accessing Caterpillar’s OneTrust Marketing Preference Centre (My Marketing Preference). To the extent that you are submit personal data for this purpose and provide consent to the receipt of communications from the Caterpillar Group, Caterpillar Inc. is the data</p>

	<p>controller and your data will be processed in accordance with Caterpillar’s Global Privacy Statement available at http://caterpillar.com/dataprivacy.</p> <p>For specific messages and communications in relation to financial services and financial products, Caterpillar Financial Services South Africa and Caterpillar Financial Services Corporation shall act as joint controllers, and the data will be processed in accordance with the terms of this notice.</p>
<p>Retention How long do we retain your data for?</p>	<p>The data shall be retained in personal form for the duration of the business relationship and, once terminated, during the term applicable by law or regulations to which we are subject for the retention of the specific data. We will normally retain your records for a minimum of six years to comply with regulatory and contractual requirements, however, we may keep your data for longer than six years where required for legal or regulatory reasons.</p> <p>In cases where we process your data based on your consent, we may retain the relevant data for as long as it is necessary for the purposes for which it was collected or until you withdraw your consent.</p>
<p>Data recipients With whom do we share your data?</p>	<ol style="list-style-type: none"> 1. Caterpillar equipment dealers with a stake in the execution of the finance contract and for marketing purposes to the extent that it is possible under legitimate interest 2. External service providers performing functions on our behalf such as providers of IT maintenance, data storage, customer survey administration, collection activities, accounting services or IT software. 3. Professional advisors and consultants such as law firms, tax consultants, auditors and accountants. 4. Insurance companies and brokers for the purposes of assuring the assets and credit. 5. Courts and tribunals in cases of legal action. 6. Other Caterpillar group companies for legitimate business purposes. 7. National credit reference agencies or fraud prevention agencies. 8. This information may be accessed by creditors and financial institutions involved in commercial lending to support evaluation of their own credit risk. 9. Governmental and regulatory authorities where required by law or obligations applicable to our business 10. Banks and savings institutions for financial transactions deriving from the contract. 11. Public notaries for the purposes of raising a public deed, where relevant to the contractual method chosen.
<p>International data transfers When do we transfer your data overseas?</p>	<p>All data collected is transferred to and processed in South Africa, however this information shall be transferred to CFSC in the United States of America, as joint controller, for any of the above referenced purposes, as well as for the provision of IT maintenance and administration services.</p> <p>Due to our global nature, data you provide to us may additionally be transferred to or accessed by our ultimate parent company Caterpillar Inc. in the United States and other affiliates and trusted service providers from other countries around the world including third countries. A list of Caterpillar Data Controller/Legal Entities can be found in Schedule A of the Global Data Privacy Statement, available at http://caterpillar.com/dataprivacy</p> <p>When such transfers occur, we implement adequate measures to ensure compliance with the data protection requirements and to maintain the security and protection of your data, including for example entering into data transfer agreements or binding corporate rules for transfers to jurisdictions providing inadequate protection outside of Johannesburg, South Africa. You may obtain additional details on the specific measures by accessing our global privacy notice (www.Caterpillar.com/dataprivacy) or contacting us using the details described at the top of this document.</p> <p>In certain circumstances, we may rely on other basis (including necessity for performance of a contract or implementation of pre-contractual measures) set out in the Data Protection Law in order to make such transfers.</p>
<p>Rights of interested parties Exercising your rights</p>	<p>You can exercise your rights to access, rectification, portability, erasure, restriction and objection, including to processing based on a legitimate interest, by utilising the Data Subject Rights Request Form or making an application in writing, attaching evidence of your identity, to Caterpillar Financial Services South Africa</p>

	<p>(Pty) Ltd using the contact information specified above in the "Data Controllers" section for queries in relation to this privacy notice.</p> <p>Where we have requested your consent, you have the right to withdraw such consent provided at any time by contacting us at the details specified in the 'Data Controllers' section above. However, to the extent that we have another legal basis upon which to process your data, we may continue to process such data.</p> <p>You can also withdraw or manage marketing consent using the One Trust Preference Center.</p> <p>Revocation of consent for marketing offers shall not impact our ability to offer financing to you.</p> <p>Interested parties have the right to make a complaint before the Information Regulator in South Africa who can be contacted in the following ways:</p> <ol style="list-style-type: none"> 1. The Information Regulator website at the following address: https://inforegulator.org.za 2. In person or by writing to their postal address: Woodmead North Office Park, 54 Maxwell Drive Woodmead, Johannesburg, 2191 3. By completing the prescribed POPIA form 5 and sending an email to POPIAComplaints@inforegulator.org.za
<p>Additional Information</p>	<p>For additional information on the processing of your personal data on the Caterpillar website or to review information on the corporate approach to the protection of customer data adopted by companies within the Caterpillar group please visit our website: https://www.cat.com/en_ZA/support/financing-protection/about-us/legal-notices.html. All changes to this notice will be published on the website and, where necessary, notified to you in writing.</p>