

**EXTERNAL PRIVACY NOTICE**  
**FIREBLADE AVIATION PROPRIETARY LIMITED**  
**(Registration No 2012/015402/07)**  
**(“we”, “Us”, “Our”, “Fireblade”)**

## 1. INTRODUCTION

- 1.1 Fireblade is a private aviation business, providing a full suite of Fixed Based Operator (“FBO”), Maintenance Repair and Overhaul (“MRO”) and Air Operator Certificate (“AOC”) facilities and services.
- 1.2 We are located at Denel Precinct Astro Park, Atlas Road, Bonaero Park, Kempton Park, 1465, Johannesburg, South Africa.
- 1.3 We take the protection of your Personal Information seriously and have set out in this Privacy Notice (“**Notice**”) how and when We will collect, use, and share your Personal Information and Special Personal Information (which unless there is a provision that is specific to one or the other, We will collectively/interchangeably refer to as “**Personal Information**”).
- 1.4 In delivering and carrying out our services, we will use your Personal Information in accordance with this Notice and applicable law, including Data Protection Laws.

## 2. DEFINITIONS

Where a term is not defined in the body of this Notice, you can find the definition in **Schedule A**.

## 3. WHO DOES THIS NOTICE APPLY TO?

- 3.1 This Notice applies to all external persons (both individuals and juristic) whose Personal Information may be collected and used by Fireblade (“**Data Subjects**”/”**You**”/”**Your**”) including -
  - 3.1.1 prospective, new or existing customers (“**Customer**”)
  - 3.1.2 travellers and passengers;
  - 3.1.3 visitors to Our premises;
  - 3.1.4 vendors and service providers;
  - 3.1.5 job applicants;
  - 3.1.6 learners who participate in any learnership programmes;
  - 3.1.7 consultants and sub-contractors;
  - 3.1.8 browsers or users of our Website.
- 3.1.9 If You are a **juristic entity**, We may collect and use Personal Information relating to Your directors, employees, partners, shareholders, members, signatories, representatives, trustee and other persons related to the juristic entity (“**Related Person**”). If You provide the Personal Information of a Related Person, You warrant that you are legally allowed to share their Personal Information with Us. We will process the Personal Information of Related Persons as stated in this Notice.

## 4. OUR INFORMATION OFFICER

Our Information Office is Rukayya Naicker. If you have questions about this Notice, please send an email to her at [information.officer@firebladeaviation.com](mailto:information.officer@firebladeaviation.com)

## 5. WHAT PERSONAL INFORMATION WE PROCESS

### 5.1 Personal Information

We may collect information that allows You to be identified, such as:

|  |  |
|--|--|
| <b>Contact Information</b>                             | Name, address, contact numbers, email address  |
| <b>Identification Information</b>                      | ID Number, Registration No, Tax and VAT Number, passport details, photographs, date of birth, nationality, electronic signature, biometric details, firearm license details  |
| <b>Financial Information</b>                           | Bank details, financial statements, credit history, credit, financial transactions   |
| <b>Travel and itinerary date, location information</b> | Flight plans and details, departure/destination, dietary and travel preferences, special assistance requirements, geo location   |
| <b>Aircraft related information</b>                    | Aircraft registration and ownership details, logbook, service and maintenance histories  |
| <b>Electronic and Technical Information</b>            | CCTV footage, Information obtained through electronic means such as internet address of your domain, cookies, online identifier, web forms, IP addresses, activity logs, unique device identifiers and geo location data |
| <b>Communications</b>                                  | Emails and attachments to emails, voice notes and recordings, Whatsapp and SMS, enquiries from you or anyone acting on Your behalf.  |
| <b>Contract Information</b>                            | Details of contracts between us, Transaction Information including sales, purchases, services rendered, leases (property details, rental and other costs)  |
| <b>Relationship Information</b>                        | Children, spouse, partner  |
| <b>Recruitment Information</b>                         | Resume/CV, application for employment, background checks, references, record of interview and interview notes, references, Employment and education history, medical fitness record, if applicable to aviation safety    |
| <b>Correspondence</b>                                  | Correspondence that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents or the original correspondence.   |

## 5.2 Special Personal Information

The Special Personal Information We collect includes -

|   |   |
|---|---|
| <b>Race or ethnic origin</b>                  | Race (BBBEE status), ethnic origin  |
| <b>Medical and health related information</b> | Medical records or information  |
| <b>Psychometric Assessment Data</b>           | Responses to psychometric test questions, behavioural indicators, cognitive or personality profiling outcomes |

5.3 When you provide Us with the Personal Information of a third party, You should take steps to inform the third-party that You need to disclose their details to Us and to identify Us. We will process their Personal Information in accordance with this Notice.

## 6. CHILDREN'S INFORMATION

6.1 Fireblade may process information relating to Children (persons under the age of eighteen years) ("Child"/"Children") where this is required or necessary for purposes of providing travel related services or where Children participate in any learnership programmes.

6.2 Where Children's information is provided, You -

6.2.1 warrant that you are authorised to consent to the disclosure and processing of such information on their behalf;

6.2.2 consent to the processing of the Children's information for the purposes set out in this Notice.

## 7. WHAT DO WE USE YOUR PERSONAL INFORMATION FOR

7.1 **Services:** to provide Our services including AOC, MRO and FBO services;

7.2 **Communications:** to correspond with You including dealing with complaints or requests, to implement and manage your account and Our relationship, including processing of payments;

7.3 **Service management:** selecting and/or onboarding You as a Customer, vendor or service provider, to operate, develop and manage, monitor, and improve Our services, systems and processes and Website/other platforms;

7.4 **General Operations:** to perform Our operations and functions, administrative and auditing purposes;

7.5 **Security:** maintaining security and safety at facilities (including access control and CCTV), for fraud and crime prevention/reporting;

7.6 **Credit purposes:** to make, or assist in making, credit decisions about data subjects;

- 7.7 **Regulatory/Compliance with Laws:** to comply with any laws which requires Us to Process the Information (including the National Key Point Act; aviation and immigration laws (both local and foreign), for meeting legal, regulatory, and safety requirements of various regulatory and licensing bodies including the Civil Aviation Authority;
- 7.8 **Recruitment:** for the purposes of assessing your suitability for the role, for contacting you to progress your application and to contact and follow up any references you have provided;
- 7.9 **Statistical analysis:** to monitor and analyse trends, usage and activities in connection with Our services' statistical analysis and to help Us understand You more. This helps Us to serve You better and to find ways to improve Our offering to You.
- 7.10 **Demands from Authorities:** to comply with demands or requests made by Regulators, Governmental Authorities and Law Enforcement Authorities;
- 7.11 **Verification:** to maintain and verify the information We have about You, including by checking this against information held in third party repositories, such as credit bureaus;
- 7.12 **Marketing:** to send you newsletters, promotional materials and other marketing communications.

## 8. WHY WE ARE PERMITTED TO PROCESS PERSONAL INFORMATION

We will only Process Your Personal Information on one of the “lawful basis” set out under the Data Protection Laws being -

| Personal Information   | Special Personal Information   |
|--|--|
| To carry out the actions for the conclusion or performance of an agreement with You  | Consent  |
| To comply with any law that We are subject to  | Necessary for the establishment, exercise or defence of a right or obligation in law |
| Where such Processing projects Your or Our legitimate interests or is necessary to pursue our legitimate interests or the legitimate interests of the third party to whom/who the information is supplied and/or | Necessary to comply with an obligation of international public law                   |
| Consent  | On of the POPIA exemptions applies such as race information exemption                |

## 9. THE SOURCES FROM WHICH WE COLLECT YOUR INFORMATION

- 9.1 We may collect Personal Information either directly from You and/or indirectly from external sources.

- 9.2 We may collect information **directly** from You when (for example)
  - 9.2.1 We engage directly with You;
  - 9.2.2 We negotiate and conclude an agreement with You;
  - 9.2.3 You engage with Us, such as through our website, emails, telephone, complaints or queries, surveys, WhatsApp and other platforms;
  - 9.2.4 You enter any of Our offices or facilities;
  - 9.2.5 You interact with Our support, sales, account management, service teams (such as AOC, MRO and FBO);
  - 9.2.6 You render any services to Us.
- 9.3 We may collect Personal Information **indirectly** about You from:
  - 9.3.1 Our websites, by phone, email, or through Your participation in survey's conducted through third party websites (or through social media);
  - 9.3.2 from technology, such as Your access and use, including both assisted and unassisted interactions (e.g. on Our Website) to access and engage with Our Website (this includes cookies and online or app analytics);
  - 9.3.3 public sources and registers (such as company registers, online search engines, (title) deeds registries, public posts on social media);
  - 9.3.4 third parties (agents or intermediaries) that We engage for the purposes of conducting Our business (list providers, credit bureau and background check providers, regulators and government departments and third-party service providers);
  - 9.3.5 third parties (your employees, agents, representatives or intermediaries) that engage Us on Your behalf;
  - 9.3.6 third parties, that we may use in the rendering of Our services, such as travel agents, training providers, catering companies, travel support service providers.

## **10. WHAT ARE THE CONSEQUENCES IF YOU DO NOT PROVIDE US WITH THE PERSONAL INFORMATION**

If you do not agree to any of the provisions of this Notice, then you should not submit any Personal Information to Fireblade. However, if you do not agree with this Notice, or any parts thereof, or if You do not provide Us with the Personal Information the, by way of illustration only, we may not be able to:

- 10.1 provide you with Our services (in whole or in part); or
- 10.2 conclude a contract to do business with You.

## **11. WHO WE SHARE PERSONAL INFORMATION WITH**

- 11.1 We may share Your Personal Information with –
  - 11.1.1 third party service providers who provide services to Us and on Our behalf including providing, supporting, securing our services and systems;

- 11.1.2 ground handling and operational partners, including catering, fuel, and logistics providers;
- 11.1.3 group companies or other third parties affiliated to Us;
- 11.1.4 partners, agents and third parties involved in delivering Our Services;
- 11.1.5 emergency services;
- 11.1.6 any entity or forum to protect ourselves against fraud or exercise Our rights;
- 11.1.7 verification information suppliers including credit bureau, governmental bodies, fraud prevention organisations;
- 11.1.8 professional advisors and insurers;
- 11.1.9 third party advertising partners that place advertisements on Our Websites, or other websites or media to measure advertising effectiveness and to serve You with advertisements and other products and materials that best meet Your interests and preferences. These third-party advertising partners may also provide Us with certain information about You or the demographic group to which You belong and may combine this information with the Personal Information We have already about You to better understand Your interests and preferences;
- 11.1.10 regulatory bodies for purposes of compliance with Our legal and regulatory obligations such as the Aviation Authorities (e.g., SACAA, ICAO, FAA, EASA) for compliance and safety oversight;
- 11.1.11 customs, immigration, and law enforcement authorities where required by law;
- 11.1.12 law enforcement, government officials, or other third parties as may be necessary or appropriate in connection with an investigation of fraud, intellectual property infringement, or other activity that is illegal or may expose Us to legal liability;
- 11.1.13 to third parties for reasons set out in this Notice (this may include but is not limited to sharing information with credit bureaus and prospective buyers of sellers of our business or assets);
- 11.1.14 other entities in Fireblade's group of Companies as part of Our regular reporting activities on Fireblade's performance.

11.2 Fireblade in its operation uses several centralised functions and systems across Oppenheimer Generations group of companies. Your Personal Information may be processed through these centralised functions and systems. Such processing will be in accordance with the purposes and in the manner, as set out in this Notice.

11.3 In the event of a reorganisation, merger or sale, we may transfer any and all Personal Information we collect to the relevant third party involved in the reorganisation, merger or sale.

## **12. TRANSFER OF PERSONAL INFORMATION OUTSIDE SOUTH AFRICA**

12.1 We may transfer Personal Information across geographical borders to –

- 12.1.1 foreign border control/immigration and airport/aviation authorities and providers;
- 12.1.2 other companies in Our group of companies;
- 12.1.3 third parties for the purposes set out in clause 11.

12.2 Where We transfer Your Personal Information outside of South Africa, We will ensure that We do so in accordance with the requirements for lawful transfer outside of South Africa as set out in Data Protection Laws.

### **13. KEEPING YOU INFORMED ABOUT OUR OFFERING/SERVICES**

13.1 Subject to applicable law, you may receive and/or subscribe to our newsletter, mailers and/or other marketing communications, where we will inform you about our services and/or current special offers.

13.2 Where applicable, you may withdraw your consent to receive such communication at any time. You may exercise your withdrawal by clicking on the link provided in each email communication or by emailing [information.officer@firebladeaviation.com](mailto:information.officer@firebladeaviation.com).

13.3 Please note that Your unsubscribe request will take some time to action, and Your selection will not automatically be effective during that time.

13.4 To make sure that we do not contact You with unwanted marketing communication after You have unsubscribed, We will store a minimum of Your Personal Information (such as Your name and contact details) on an opt-out register.

### **14. COOKIES AND SIMILAR TECHNOLOGIES**

14.1 We may use 'cookies' when You visit Our website. Cookies do not contain Personal Information, but they do contain a personal identifier allowing Us to associate Your Personal Information with a certain device.

14.2 We use the following types of cookies on Our website:

- 14.2.1 **Essential cookies** which are crucial to a user's experience of a website, enabling core features functions on Our website.
- 14.2.1 **Performance (Analytic/Tracking) cookies** which track how You use a website during Your visit. This information is typically anonymous and aggregated and helps Us understand visitor usage patterns, identify and diagnose problems users may encounter, and make better decisions in improving the overall website experience.
- 14.2.3 **Functionality cookies** which are used to collect information about Your device and any settings You may configure on the Website You're visiting (like language and time zone settings). With this information, websites can provide a customised, enhanced, or optimised content and services.

14.3 Your web browser can be set to allow You to control whether You will accept or reject cookies, or to notify You each time a cookie is sent to Your browser. If Your browser is set to reject cookies, websites that are cookie enabled will not recognise You when Your return to the Website, and some website functionality may be lost. You can also view and edit cookies by looking in the cookie's directory of your browser installation. Some cookies are not required for the Website to work but may enhance your browsing experience. However, if you do not accept all/some cookies, you may not be able to use some portions of Our services.

14.4 Third Party Links and External Tools: the Website may contain links to other third-party websites. We are not responsible for or liable for the acts, content, or privacy policies of these third-party websites and advise you to review the privacy policies on these websites.

## 15. HOW LONG WILL WE KEEP THE INFORMATION FOR

- 15.1 We will retain Your Personal Information for as long as necessary to achieve the purpose for which it was collected or subsequently processed or to the extent, we are legally mandated.
- 15.2 Personal Information may be held for longer periods where –
  - 15.2.1 retention of the record is required or authorised by law;
  - 15.2.2 We reasonably require the record for lawful purposes related to Our functions or activities
  - 15.2.3 retention of the record is required by a contract between You and Us; or
  - 15.2.4 You have Consented to the retention of the record.

## 16. SECURITY

- 16.1 We secure the integrity and confidentiality of Personal Information in Our possession or under Our control by taking appropriate, reasonable technical and organisational measures to prevent loss of damage to or unauthorised destruction of Personal Information and unlawful access to or processing of Personal Information.
- 16.2 Some of the controls we have in place are –
  - 16.2.1 We limit physical access to Our buildings and user access to Our systems to only those that We believe are entitled to be there;
  - 16.2.2 We use technology controls for Our information systems, such as firewalls, user verification, strong data encryption, and separation of roles, systems and data;
  - 16.2.3 systems are proactively monitored through a “detect and respond” information security function;
  - 16.2.4 We utilise industry standards to support the maintenance of a robust information security management system; and
  - 16.2.5 We enforce a “need to know” policy, for access to any data or systems.

## 17. YOUR RIGHTS

- 17.1 You have the right to –
  - 17.1.1 **request a record** of Your Personal Information. We may charge You a fee to provide such a record, but We will tell You when this will be applicable and how much this is beforehand. In certain circumstances, We cannot tell You what Personal Information We have about you. For example, to protect (a) the privacy of others; (b) confidential information of third parties; (c) the safety of others;
  - 17.1.2 **request correction** of Your Personal Information if it is inaccurate, irrelevant, outdated, excessive, misleading or obtained unlawfully;
  - 17.1.3 **request deletion** of Your Personal Information where there is no lawful basis to retain it;
  - 17.1.4 **withdraw consent** previously given in respect of the processing of Your Personal Information which withdrawal of consent will of affect the lawfulness of any processing

carried out prior to Your notice of withdrawal. Withdrawal of consent may limit Us or a third party's ability to carry out certain functions that may have an impact on our relationship but will not affect the continued procession of Your Personal Information in instances in which Your consent is not required.

- 17.1.5 **to restrict/suspend processing** of Personal Information to only that which is strictly necessary for us to perform our services to you. Please note that this right is limited in certain situations, when we are processing your Personal Information that we collected from you with your consent you can only request restriction on the basis of: (a) inaccuracy of data; (b) where our processing is unlawful and you don't want your Personal Information erased; (c) you need it for a legal claim; or (d) if we no longer need to use the data for the purposes for which we hold it. When processing is restricted, we can still store your information, but may not use it further;
- 17.1.6 **to lodge a complaint with** the Information Regulator (see clause 19);
- 17.1.7 **to object** to the Processing of Personal Information if such processing is not based on legitimate interests/lawful grounds; and
- 17.1.8 to object to the processing of Personal Information for **direct marketing purposes**.

- 17.2 We will comply with Your request/s unless We have a credible reason why We cannot comply.
- 17.3 If We can't agree whether to correct or delete the information and if You as Us to, We will indicate on the information that a correction was requested but was not made.
- 17.4 If changes to the Information impact on decisions about You, if reasonably practicable, We will inform all persons to whom the Personal Information has been disclosed of those steps.
- 17.5 We will notify You of the action taken by Us because of Your request.
- 17.6 All requests can be made via email to [information.officer@firebladeaviation.com](mailto:information.officer@firebladeaviation.com).

## **18. RIGHT TO WITHDRAW CONSENT**

- 18.1 In the limited circumstances where Processing of Your Personal Information is based on Your consent, You have the right to withdraw such consent at any time. To withdraw Your consent, please send an email to [information.officer@firebladeaviation.com](mailto:information.officer@firebladeaviation.com).
- 18.2 Once We are notified that You have withdrawn Your consent, We will no longer process Your Personal Information for the purposes You originally agreed to, unless We have another lawful basis for doing so.

## **19. HOW TO LODGE A COMPLAINT WITH THE INFORMATION REGULATOR**

- 19.1 If you wish to lodge a complaint regarding the processing of Your Personal Information then please first reach our to Fireblade's designated Information Officer at [information.officer@firebladeaviation.com](mailto:information.officer@firebladeaviation.com).
- 19.2 However, if you are still unsatisfied with how we have handled your Personal Information, you can lodge your complaint with the Information Regulator or authority in the applicable and relevant country. We are happy to share such information or guidance in this regard should you need it.

19.3 The South African Information Regulator's contact details are set out below:

The Information Regulator

Website: <https://inforegulator.org.za/complaints/>

Telephone No. 0800 017 160 or 010 023 5200

Email: [POPIAComplaints@inforegulator.org.za](mailto:POPIAComplaints@inforegulator.org.za)

[PAIAComplaints@inforegulator.org.za](mailto:PAIAComplaints@inforegulator.org.za)

## 20. NOTICE REVISION

We may update this Privacy Notice from time to time. Changes to this Privacy Notice will be posted on Our Website.

| Version | Description   | Author  | Date       |
|---------|---------------|---|------------|
| V1      | First Version |  | 20/01/2020 |
|         |               |   |            |
|         |               |   |            |

## SCHEDULE A

### DEFINITIONS

|                               |  |
|-------------------------------|--|
| <b>“Consent”</b>              | Means any voluntary, specific and informed expression of who in terms of which permission is given for the processing of Personal Information.   |
| <b>“Data Protection Laws”</b> | Means the Protection of Personal Information Act, 4 of 2013, Electronic Communication and Transaction Act, 25 of 2002 and Promotion of Access to Information Act, 2 of 2000 and any other applicable laws in any jurisdiction relating to the processing or protection of personal information and privacy hereunder, including where applicable any guidance and codes of practice issued by the Information Regulator or relevant supervisory authority from time to time.   |
| <b>“Personal Information”</b> | Means information that identifies a living person and where applicable, an identifiable, existing juristic person, including, but not limited to – <ul style="list-style-type: none"><li>▪ Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language and birth of the person;</li><li>▪ Information relating to the education or the medical, financial, criminal or employment history of the person;</li><li>▪ any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;</li><li>▪ the biometric information of the person;</li><li>▪ the personal opinions, view or preferences of the person;</li><li>▪ 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;</li><li>▪ the views or opinions of another individual about the person; and</li><li>▪ 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.</li></ul> |
| <b>“Process/Processing”</b>   | Means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including – <ol style="list-style-type: none"><li>a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</li><li>b) dissemination by means of transmission, distribution or making available in any other form; or</li><li>c) merging, linking, as well as restriction, degradation, erasure or destruction of information.</li></ol>  |

|                                       |   |
|---------------------------------------|---|
| <b>“Special Personal Information”</b> | Means Personal Information about a Data Subject's racial or ethnic origin, political and religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information, criminal behaviour to the extent that such information related to the alleged commission of an offence or any processing in respect of such offence allegedly committed by a Data Subject or the disposal of such proceedings. |
| <b>“Website”</b>                      | Means and includes this/any website and/or any related (and/or enhanced) mobi-sites, software applications, or any other portals specifically made available by Fireblade.  |