

## 1. OVERVIEW

We respect and protect the privacy and personal information of individuals.

South32 collects Personal Information from a range of individuals in the context of our business activities, including our People, job applicants, representatives of our suppliers, customers, contractors, joint venture partners, shareholders, users of our website, and visitors to our operational and office sites.

"Our People" includes our directors, employees and contractor staff (e.g. labour hire, temporary or agency staff, and secondees).

This Privacy Policy ("Policy"):

- relates to "Personal Information", which is any information (including an opinion) about an identified or identifiable person; and
- explains how we collect, manage, and use Personal Information, and how you can exercise your privacy rights.

We collect, manage, and use Personal Information in accordance with applicable privacy laws, and we understand that the Personal Information of the people with whom we deal with is important. That is why protecting Personal Information and being clear about what we do with it is a key part of our business.

The privacy laws that apply in your case will depend on your relationship with South32 and the context in which South32 processes your Personal Information. For example, Australian privacy laws will always apply to our businesses in Australia. However, other laws may apply to Personal Information processed in the context of our establishments in other countries where we operate. For example, United Kingdom data protection laws will apply for employees of South32's UK establishments (South32 SA Investments Limited and South32 SA Marketing Limited) and/or if you hold interests in shares listed on the London Stock Exchange.

## 2. QUICK LINKS

Please read this Policy in full to ensure you are fully informed. However, if you only want to access a particular section of this Policy, then you can click on the relevant link below to jump to that section:

- [Who does this Policy apply to?](#)
- [How do we collect Personal Information?](#)
- [What Personal Information do we collect about you and why?](#)
- [Cookies Notice](#)
- [How do we hold Personal Information?](#)
- [How do we disclose Personal Information?](#)
- [Will my Personal Information be disclosed overseas?](#)
- [What rights do I have and how can I exercise them?](#)
- [Who can I contact if I have a question or a complaint?](#)
- [Policy review and changes](#)

## 3. WHO DOES THIS POLICY APPLY TO?

This Policy applies to South32 Limited, its subsidiaries, and its operated or controlled joint ventures (together, "South32", "we" or "us"). We require our People to follow this Policy, as well as those of our Suppliers authorised to manage Personal Information on our behalf.

For a list of South32 entities, please see the Annual Reporting Suite section, including our latest Annual Report, available on our website.

In addition to this Policy, we may provide more detail and information on South32's privacy practices at the Privacy section of our website, where appropriate, and/or by other communications with you.

## 4. HOW DO WE COLLECT PERSONAL INFORMATION?

Broadly speaking, we collect Personal Information about you in the following ways:

### 4.1 Information that you provide voluntarily

South32 may occasionally ask you to voluntarily provide Personal Information. For example, we may ask you to provide your contact details when you submit enquiries to us through the Contact Us page on our website or ask to receive information from us. We may also collect Personal Information during the course of our business interactions with you, including from any communications you send us.

### 4.2 Information that we collect automatically

When you visit our website, or use our products and services, we may collect certain information automatically from your device. Specifically, we may collect information like your device type, unique device identification numbers, browser-type, broad geographical location and other technical information from you.

We use this information for our internal operations and analytics purposes and to improve the quality and relevance of our website, products and services. Some of this information may be collected using cookies and similar technology. Please see section 6 below for further information on our use of cookies.

### 4.3 Information that we obtain from third-party sources

In some cases, we may collect Personal Information about you from publicly available sources or from a third-party, such as through your representatives, contractors who provide services to us, or other third parties who are entitled to share that information. In addition, where you have expressed an interest in career opportunities with South32, we may obtain Personal Information provided to us by HR practitioners, hiring managers and recruitment advisors.

## 5. WHAT PERSONAL INFORMATION DO WE COLLECT ABOUT YOU AND WHY?

The Personal Information we may collect depends on our relationship with you.

Personal Information can extend to any information where you can be identified directly or indirectly, in particular by reference to an identifier (for example, a name or email address, or an online identifier such as a unique device identification number).

The table at **Appendix A** of this Policy sets out a list of the types of information we collect and why we use it.

We may collect other Personal Information from time to time where you provide it to us, as necessary for our business requirements, or in order to comply with applicable laws. It will be made clear to you at the point of collection the type of data we require and the reasons for collecting it.

Where it is lawful and practicable for us to allow it, you have the right not to identify yourself when dealing with us. However, if you don't provide us with your Personal Information, it may impact on our ability to provide you with access to certain features on our website or provide you with a specific product or service. For instance, we will be unable to register you as a shareholder of South32 without first collecting your name and address.

Please note that other third-party websites and social media may be accessible via hyperlinks from the South32 website. These websites are owned and operated by third parties. South32 has no control over the content of those other websites and social media platforms, and these websites will not be subject to our Privacy Policy. We encourage you to review the separate privacy policies for these websites and platforms before using them to understand how such third parties collect, manage, and use your Personal Information. South32 cannot be responsible for your use of such third-party websites and features.

### 5.1 Sensitive / Special Personal Information

Under privacy laws, certain categories of Personal Information are considered particularly sensitive or special and therefore need additional protection. This includes information about racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, trade-union membership, health, or medical conditions, genetic or biometric information, sexual orientation, or criminal convictions and offences. South32 will only collect, manage, and use your sensitive / special Personal Information where we have obtained your explicit consent or where we have other lawful grounds to do so under applicable law.

## 6. COOKIES NOTICE

### 6.1 What are cookies?

Cookies are small data files that are placed on your computer or mobile device when you visit a website to track the number of visitors to our website, collect information (where available) about your computer or mobile device for system administration purposes, to evaluate our website's effectiveness and improve your experience.

Cookies set by the website owner (in this case, South32) are called "first party cookies". Cookies set by parties other than the website owner are called "third-party cookies". South32 does not use any third-party cookies.

### 6.2 Why do we use cookies?

We use first party cookies for several reasons. Some cookies are required for technical reasons for our websites to operate, and we refer to these as "essential" or "strictly necessary" cookies. Other cookies also enable us to track and target the interests of our users to enhance the experience on our websites. This information is used anonymously and in aggregate and is collected and logged for statistical purposes. We do not use cookies to identify you or send targeted advertising.

### 6.3 How can I control cookies?

You have the right to decide whether to accept or reject cookies. You can set or amend your web browser controls to accept or refuse cookies. If you choose to reject cookies, you may still use our website though your access to some functionality and certain areas of our website may be restricted. As the way by which you can refuse cookies through your web browser controls varies from browser to browser, you should visit your browser's help menu for more information.

If you would like to find out more information about cookies, please visit <http://www.aboutcookies.org.uk/>

## 7. HOW DO WE HOLD PERSONAL INFORMATION?

We may hold your Personal Information in electronic or in hard copy form. We may keep this information at our own premises, or at sites managed by our service providers.

We are committed to keeping your Personal Information safe, confidential, and secure. We use a range of physical, electronic and procedural safeguards to do this. We update these safeguards from time to time to address new and emerging security threats. We also train our People on privacy matters as appropriate and seek to limit access to Personal Information to those of our People who need to know that information.

### 7.1 Retention of Personal Information

We retain Personal Information we collect from you where we have an ongoing legitimate business need to do so (for example, to provide you with a product or service you have requested, or to comply with applicable legal, tax or accounting requirements).

South32's aim is to keep your Personal Information for no longer than is necessary for compliance or other legitimate business purposes. We apply our standard document retention and disposal procedures and processes to records that include Personal Information. These procedures and processes take account of document retention requirements imposed by law in the jurisdictions where we operate. For more information on our document retention practices please contact us using the details below contained in this Policy.

## 8. HOW DO WE DISCLOSE PERSONAL INFORMATION?

Your Personal Information may be disclosed between related entities within the South32 Group worldwide and used by those entities for the same purposes for which we are entitled to use it.

In appropriate circumstances, we may also disclose your Personal Information to the following categories of third parties:

- auditors, legal and other professional advisers and share registries;
- IT and other service providers;
- our other business partners and their agents;
- government and law enforcement authorities;
- financial institutions;
- prospective buyer or seller of all or part of our business, assets or shares in one of our companies;
- HR practitioners, hiring managers and recruitment advisors (including relevant to Personal Information provided to us via our job vacancy website and for the purpose of considering you for career opportunities with South32);
- other third parties where disclosure is required by law; and
- to any other person with your consent to the disclosure.

We take reasonable steps to protect the confidentiality and security of your Personal Information when it is disclosed to a third-party, and seek to ensure the third-party deals with your information in accordance with our instructions, applicable privacy laws, and only for the purpose for which it is disclosed.

## 9. WILL MY PERSONAL INFORMATION BE DISCLOSED OR TRANSFERRED OVERSEAS?

In some cases, the third parties to whom South32 may disclose your Personal Information may be located outside your country of residence (for example, when stored in a cloud service, system or server), and may be subject to different privacy regimes. This includes our own related entities.

South32 has operations in many countries across the world (including Australia, Brazil, Canada, Colombia, Mozambique, Singapore, South Africa, the United Kingdom and the United States of America) and we may need to share information throughout our network for operational purposes. This means that when we collect your Personal Information we may process or transfer it to a country other than the country in which you are located.

Where required by applicable law when we disclose Personal Information overseas, we will take appropriate safeguards to protect your Personal Information and that the recipient will handle the information in a manner consistent with this Policy and all applicable privacy laws. If you are in the European Economic Area or the U.K., you can request a copy of the safeguards we have put in place to protect your Personal Information and privacy rights in these circumstances.

For more information on the transfer of Personal Information and the safeguards South32 has in place, please contact us using the details below contained in this Policy.

## 10. WHAT RIGHTS DO I HAVE AND HOW CAN I EXERCISE THEM?

You can request access to your Personal Information held by us, or request that it be updated or corrected, at any time, by contacting us at the details below.

If you have a live account with our job vacancy website, and we continue to process your Personal Information in connection with that account, you can always complete, update or otherwise rectify your Personal Information by logging in to your account via the applicant login section of our website. You may remove any Personal Information you provided to us via South32's job vacancy website at any time by contacting us via our Contact us website.

You can also opt out of any marketing communications we send you at any time. You can exercise this right by following the unsubscribe instructions on such communications.

To protect the integrity and security of the information we hold, we may ask that you follow a defined access procedure, which may include steps to verify your identity.

We will not charge you a fee for responding to an access or correction request, but you may be charged the reasonable expenses we incur (for instance extraction, search and copying costs), unless we are required under applicable law to provide the information free of charge. We will inform you of this before proceeding.

We typically respond to access request within 30 days, or as otherwise required by applicable law. There may be cases where we are unable to provide the information you request, such as where it would interfere with the privacy of others or result in a breach of confidentiality. In these cases, we will let you know why we cannot comply with your request.

#### 10.1 Personal Information processed in the context of our UK establishment(s)

If we process your Personal Information in the context of our UK establishment(s) (for example you are an employee of South32 SA Investments Limited or South32 SA Marketing Limited and/or you hold shares listed on the London Stock Exchange) in accordance with applicable privacy laws in addition to the rights above, you can also object to processing of your Personal Information, ask us to restrict processing of your Personal Information or request portability of your Personal Information, where those rights are available to you at law.

Similarly, if we have collected your Personal Information based on your consent, you may withdraw it at any time. Please note that this does not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your Personal Information conducted in reliance on lawful processing grounds other than consent. You can exercise these rights at any time by contacting us using the details below.

## 11. WHO CAN I CONTACT IF I HAVE A QUESTION OR A COMPLAINT?

If you have a question, concern, or complaint regarding the way in which we handle your Personal Information, or if you believe that South32 has failed to comply with this Policy or breached any applicable laws in relation to the management of that information, you can make a complaint.

Any question, concern or complaint should be made in writing to:

By email: [privacyofficer@south32.net](mailto:privacyofficer@south32.net)

This email address can also be used as our specific point of contact in Canada, for our Data Protection Officer in Singapore and Information Officer in South Africa.

By mail: Privacy Officer  
South32 Limited  
Level 35  
108 St Georges Terrace  
Perth WA 6000

**UK Contact:** Any question, concern or complaint relating to our UK processing activities can be directed by email to: [UKprivacyofficer@south32.net](mailto:UKprivacyofficer@south32.net)

South32 will review and respond to your question, concern or complaint as soon as possible, generally within 30 days of receiving it.

If you are not satisfied with our response, you can refer your complaint to the relevant data protection authority with jurisdiction over the relevant matter (in Australia, this is the Office of the Australian Information Commissioner (OAIC). Contact details can be found at the OAIC's website: [www.oaic.gov.au](http://www.oaic.gov.au)). To the extent that UK data protection laws apply, you also have the right to lodge a complaint with your local data protection authority. For more information of who to contact please see the Privacy section of our website.

## 12. POLICY REVIEW AND UPDATES

We will review this Policy periodically and update it from time to time, or when relevant regulatory changes occur. Please visit our website at <https://www.south32.net> to obtain a copy of the latest version of this Policy at any time. Where we are required by applicable law, we will make you aware of any material changes by posting a notification on the Privacy section of our website.

## APPENDIX A: TYPES OF INFORMATION WE COLLECT AND WHY WE USE IT

The following table sets out a list of the types of information / data we collect and why we use it.

In some jurisdictions where we have business operations (for example, the U.K) we need to notify you of our legal basis for processing Personal Information. This is set where required in the table below.

Data / Information Type	Why do we use this information?	UK/EEA Legal basis
<b>Shareholders / Investors (existing or prospective)</b>		
<b>Identification information:</b> <i>such as, passport; image; national identification.</i>	To verify your identity, undertake adequate due diligence and register you as a shareholder as required to comply with our legal and regulatory obligations.	Our legal obligation
<b>Contact information:</b> <i>such as, name; email; telephone number; address.</i>	To register you as a shareholder and to contact you with information relevant to you as a shareholder in South32.	Our legal obligation
<b>Financial due diligence information:</b> <i>such as, criminal conviction data including investigations; allegations or prosecutions relating to financial misconduct.</i>	To undertake adequate financial due diligence to comply with regulatory requirements and to assess any financial misconduct.	Our legal obligation or legitimate interests and compliance with regulatory requirements relating to unlawful acts and dishonesty.
<b>Our People</b> (such as our directors, executive management, employees and contractor staff (e.g. labour hire, agency or temporary workers, secondees))		
Please note that this applies to our People outside the UK only. If you are in the UK, please refer to the Privacy Notice for our UK / EEA People which can be found at the Privacy section of our website.		
<b>Identification data:</b> <i>such as your name; gender; photograph; date of birth; worker ID.</i>	To verify your identity, negotiate and enter into a contract with you or authorise you to perform work with South32 or at a South32 location.	N/A
<b>Contact details:</b> <i>such as home and business address; telephone number(s); email addresses; emergency contact details.</i>	To verify your identity, negotiate and enter into a contract with you or authorise you to perform work with South32 or at a South32 location.	N/A
<b>Employment details:</b> <i>such as job title/position; office location; employment contract; training information; performance and disciplinary records; grievance procedures and business conduct reporting; hours of work; sickness/ holiday records; talent management information; details of termination or resignation of employment; details of promotions, transfers, and secondments.</i>	To carry out our contract with you, monitor your compliance with our policies/ standards/procedures, provide you with training and benefits and provide remuneration.	N/A
<b>Background information:</b> <i>such as academic/professional qualifications; education, CV/resume; language skills; details of spouses and dependents; references; previous employer details; membership of professional or trade association or trade union.</i>	To undertake adequate due diligence, to enter into and perform a contract with you, to carry out education and training programs, to carry out planning and forecasting activities, to authorise you to perform work with South32 or at a South32 location, and for other international business processes.	N/A
<b>Employment equity information:</b> <i>such as race and gender (where required by local law).</i>	To comply with statutory reporting obligations under applicable local laws.	N/A
<b>Vetting information:</b> <i>such as criminal records data including background checks; pre-employment medical information/ results; psychometric testing; drug and alcohol screening and testing results; anti-corruption checks (including information about close relatives); references; qualification checks; data relating to equal opportunities monitoring; health and workers compensation claims; health monitoring results and records.</i>	To undertake adequate due diligence, to enter and perform a contract with you, to carry out education and training programs, to carry out planning and forecasting activities, to authorise you to perform work with South32 or at a South32 location, and for other international business processes.	N/A

Data / Information Type	Why do we use this information?	UK/EEA Legal basis
<b>National identifiers:</b> such as national ID/passport; birth certificate; immigration/visa status.	To undertake adequate due diligence, to enter and perform a contract with you, to carry out education and training programs, to carry out planning and forecasting activities, to authorise you to perform work for South32 or at a South32 location, and for other international business processes.	N/A
<b>Financial information:</b> such as banking details; tax information; withholdings; salary; benefits; expenses; company allowances; stock and equity grants.	To carry out our contract with you and provide you with benefits and remuneration.	N/A
<b>IT information:</b> information required to provide access to company IT systems and networks such as IP addresses, log files, contact information and login information.	To carry out our contract with you, monitor your compliance with our policies, conduct our business operations and manage our IT environments.	N/A
<b>Other information relating to your employment:</b> such as, information relating to internal audits; communications with you (including notes from meetings and telephone calls); feedback or survey responses you provide to us.	To comply with our legal and regulatory obligations and to carry out our contract of employment with you or authorise you to perform work with South32 or at a South32 location.	N/A
<b>Job Applicants</b> Please note that: <ul style="list-style-type: none"> <li>This applies only to job applicants outside the European Economic Area (EEA) and the United Kingdom. If you are a job applicant applying for a role in the UK, please refer to the Privacy Notice for our UK / EEA People which can be found at the Privacy section of our website.</li> <li>We have a job vacancy website. When you subscribe to it, we will collect specific Personal Information about you in accordance with this Policy.</li> </ul>		
<b>Contact information:</b> such as, name; email; telephone number; address.	To verify your identity, enter into and perform an employment contract with you and respond to queries and requests.	N/A
<b>Education and qualification information:</b> such as, previous employer; education details; referees; professional memberships; affiliations; third-party references.	To assess your suitability for the job applied for and to enter into and perform an employment contract with you.	N/A
<b>Other information relating to potential employment:</b> such as, information collected from pre-clearance questionnaires and/or interviews; criminal background checks; passports and visas; equal opportunities monitoring; safety certificates; health information; technical information from using our website (e.g. device type; unique device identification numbers; browser type).	To comply with our legal and regulatory obligations and to carry out our contract of employment with you.	N/A
<b>Joint venture partners and other third parties within whom South32 has a business relationship</b> – includes suppliers (of goods and/or services), business partners, JV partners, co-investors.		
<b>Contact information:</b> such as, name; email; telephone number; company name; business address; business phone number.	To enter a business relationship with the third-party. To keep you informed about our activities and updates, to respond to any queries and requests, to manage and resolve any commercial or legal complaints or issues, to carry out planning and forecasting activities and for other international business processes.	Our legitimate interests
<b>Third-party personnel:</b> such as, name; role/position; citizenship/nationality; national identity numbers; type and percentage of ownership.	To carry out due diligence prior to entering a relationship with the third-party and/or to decide whether to continue a business relationship with the third-party.	Our legitimate interests or legal obligation

Data / Information Type	Why do we use this information?	UK/EEA Legal basis
<b>Financial and compliance due diligence information on relevant personnel:</b> <i>such as, criminal conviction data including investigations, allegations or prosecutions relating to financial or other serious misconduct.</i>	To undertake adequate financial and compliance due diligence to comply with regulatory requirements to assess any financial and compliance misconduct.	Our legitimate interests or legal obligation and compliance with regulatory requirements relating to unlawful acts and dishonesty
<b>Customers and other users of South32 products and services</b>		
<b>Contact and payment information:</b> <i>such as, name; email; telephone number; address; payment and bank details (if required).</i>	To enable us to provide our products and services to you, to keep you informed about our activities and updates, to respond to any queries and requests, to carry out market analysis and research, to manage and resolve any commercial or legal complaints or issues.	For the performance of a contract and in our legitimate interests
<b>Technical information:</b> <i>such as device type; unique device identification numbers; browser type; broad geographical location.</i>	To monitor the use of our products and services and to assess, maintain, upgrade, and improve our products and services, to carry out market analysis and research, to carry out planning and forecasting activities and for other internal business processes.	Our legitimate interests
<b>Visitors to our Website</b>		
<b>Contact information:</b> <i>such as, name; email; telephone number; address; content of free text query.</i>	To respond to your queries and requests, to provide you with a subscription to our newsletter	Our legitimate interests
<b>Technical information:</b> <i>such as device type; unique device identification numbers; browser type; broad geographical location.</i>	To monitor the use of our website and to assess, maintain, upgrade, and improve our website, to carry out market analysis and research.	Our legitimate interests
<b>Visitors to our physical offices and sites</b>		
<b>Identification information:</b> <i>such as, passport or national form of identification; name; contact details; employer information.</i>	To verify your identity, to enable you to enter our offices or sites, and to undertake adequate due diligence.	Our legitimate interests and in some circumstances a legal obligation
<b>Information obtained during your visit:</b> <i>such as, CCTV images; car registration information; access records and registration details.</i>	To allow you access to our premises in line with our security policies and procedures and to manage and resolve any legal or commercial complaints or issues, including security incidents.	Our legitimate interests and in some circumstances a legal obligation
<b>Other information relating to your visit on-site:</b> <i>such as, results of drug/alcohol testing.</i>	To comply with our health and safety practices.	Your explicit consent