

Group Policy Statement

re Data Protection and Privacy

Territorial Scope

Gold Fields Limited (“**Gold Fields**”) is a multi-national organisation. As a result, we are subject to different data protection and privacy obligations in the jurisdictions where we have a presence. The intent of this Policy Statement is to meet our transparency obligations in those places, including in the EU under the General Data Protection Regulation 2016/279 (“GDPR”).

Processing your Personal Data

Each entity within the Gold Fields Group of companies takes its obligations with regards to data protection and the privacy of all our stakeholders, including, most significantly our existing, prospective and contractor employees (“**employee**”), extremely seriously. Protecting your personal data has and will always be important to Gold Fields. We are committed to being transparent about how we **process** (which includes to collect, receive, process, migrate, record, organise, collate, store, update, modify, retrieve, alter, consult, use, disseminate, transmit, distribute, merge, link, block, degrade, erase, destroy and/or transfer) your personal data, and to ensure that we act lawfully in processing your personal data.

In this Policy Statement, **personal data** means any information that Gold Fields processes, which relates to you and is identifiable as your personal data. This may include a range of information, including personal details such as your name, title, position, professional and educational history and contact number, payroll and taxation information, banking details, performance and development assessment information, address details, identification and/or passport number, e-mail address, login information for Gold Fields ICT applications and systems, etc.

Gold Fields also processes some so called **sensitive or special category data**. This is a subset of personal data given additional protections by many data protection laws around the world. We process sensitive or special categories of data such as information relating to race, religious beliefs, trade union membership, biometric information and health or medical information (such as sickness records, disability records, fitness for work records and information on pensions, insurance and/or health care where it contains data relating to sickness).

Collecting your Personal Data



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In relation to your pension, insurance and/or health care cover, where applicable, we also collect additional detailed information about your family (e.g. your spouse or partner, dependents, children or other next of kin). Before providing us with any such information, you should inform the relevant individuals that you will disclose their personal data to us and explain the key features of this statement to them.

Most of the personal, sensitive or special category data that Gold Fields holds about you is recorded on SuccessFactors' EmployeeCentral, Contractors Portal or Recruitment Portal (or any future employee self-administration platform provided by Gold Fields from time to time) ("Gold Fields Platform"), and accessible at any time by you.

Gold Fields has and may in future collect the majority of personal data directly from you or generate it ourselves, but in some cases we will obtain this information from third parties such as recruiters or third parties who conduct background checks for us, other employees and our pension, insurance, health and employee benefit administrators. In the majority of cases, the provision of this information is mandatory, but we will let you know where the provision of this information is optional.

Processing Purpose

Gold Fields is committed to processing your personal data in a lawful, relevant and transparent manner. Accordingly, we process your personal data for purposes relating to your employment at Gold Fields, including performing our obligations as an employer, relating to your employment life cycle and for other purposes permitted by applicable law. This includes the following:

- 🔒 awareness and communication, to promote organisational consciousness;
- 🔒 surveying and benchmarking, to ensure that your benefits are market-related, and our employment culture is leading practice;
- 🔒 employer oversight, to protect your rights, beliefs and culture;
- 🔒 employee administration, including on-boarding, employee benefits, travel and accommodation;
- 🔒 payroll and remuneration, including incentive schemes, superannuation, taxation, etc.;
- 🔒 learning, training and development, to facilitate personal and professional development;
- 🔒 assist us in managing external providers (e.g. insurance companies, employee benefit administrators, etc.) and benefitting from their goods and services;
- 🔒 performance management, succession planning, etc.
- 🔒 health and well-being assistance and management, to ensure that you are supported in remaining fit for work at all times;
- 🔒 governance and regulatory reporting, or otherwise, as required by applicable law;
- 🔒 internal and/or external audit review and assurance, to assess the design and operating effectiveness of internal processes, systems and related controls;
- 🔒 satisfaction of applicable legal or regulatory requirements;
- 🔒 responding to requests from, and other communications with, competent public or judicial authorities;
- 🔒 meeting our corporate social responsibility objectives;



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- 🔒 to enable a transfer to a potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer or merger of part or all of Goldfields business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it; and/or
- 🔒 allocation, access to and administration of company assets, security and access control.

Gold Fields is required to tell you the grounds under applicable law that permit us to process your personal data. Those grounds are:

- 🔒 processing as it relates to and is necessitated by the performance of a contract with you or to take pre-contractual steps at your request, such as when we make salary payments to you; and
- 🔒 processing for compliance with legal or regulatory obligations to which Gold Fields is subject; and/or
- 🔒 to protect Gold Fields' legitimate interest and does not unduly affect your interests or fundamental rights and freedoms;
- 🔒 the processing is necessary to protect the vital interests of the relevant individual or of another natural person, such as providing disability access to places of work;
- 🔒 the processing is necessary for the establishment, exercise or defence of legal claims;
- 🔒 the processing is necessary for the performance of a task carried out in the public interest, such as monitoring of the diversity of our workforce to the extent permitted by law;
- 🔒 the processing is necessary to carry out our obligations under employment, social security or social protection law; and/or
- 🔒 in some limited cases, where we have obtained your prior consent.

Examples of the 'legitimate interests' referred to above are the following:

- 🔒 to benefit from cost-effective services (e.g. we may opt to use certain ICT platforms offered by service providers);
- 🔒 to procure products and services (e.g. we communicate professional contact details of contact employees to a contractor or supplier, indicating that this person is the contact person within Gold Fields);
- 🔒 to prevent fraud or criminal activity and safeguard our ICT systems, architecture and networks;
- 🔒 in the European Union, to exercise our rights under Articles 16 and 17 of the Charter of Fundamental Rights, including our freedom to conduct a business and right to property;
- 🔒 to enable employees within Gold Fields to interact with one another; and
- 🔒 to meet our corporate and social responsibility objectives.

To the extent that we process any sensitive personal information relating to you for any of the purposes outlined above, we will do so because either: (1) you have given us your explicit consent to process that information; (2) the processing is necessary for reasons of substantial public interest on the basis of applicable law; (3) the processing is necessary to carry out our obligations under employment, social security or social protection law; (4) the processing is necessary for the establishment, exercise or defence of legal claims; or (5) you have made the information manifestly public.

Cross Border Transfer of your Personal Data

From time to time Gold Fields may also be required to transfer your personal data. Transfers may be-



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- 🔒 within Gold Fields;
- 🔒 to a potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer or merger of part or all of Goldfields business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it;
- 🔒 to any national and/or international regulatory or enforcement body or court or other form of tribunal where we are required to do so by applicable law or regulation or at their request;
- 🔒 to our contractors and suppliers (e.g. we communicate professional contact details of one of our employees to a customer);
- 🔒 to service providers (located either in the country where you are based or in another country), with whom Gold Fields has robust contractual agreements in place;
- 🔒 of your personal data to our SAP service providers, located in Germany; and/or
- 🔒 to such other countries as we may notify to you by means of project/ initiative specific awareness communication.

Gold Fields will review and validate the in-country data protection and privacy framework related to cross border transfers and where necessary, put in place data transfer agreements based on standard contractual clauses approved by the European Commission. A copy of these clauses is available here: http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index_en.htm

Retaining your Personal Data

We retain personal data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory or internal policy requirements. In general, although there may be limited exceptions:

- employee personal data (including those relating to their dependents, if any) is kept as per the requirements of in-country laws and regulations, after termination of employment, although we may continue to keep such personal data for a longer time if we have obtained your consent to do so; and
- personal data relating to ex-employees who receive benefits from us is kept as per the requirements of in-country laws and regulations, from the date when their entitlements cease, unless we are requested to delete such personal data earlier.

Your Rights

As an employee, you have several rights under applicable law. These may include the right to –

- 🔒 be informed of any data breach of your personal data that creates a risk that could be harmful to you;
- 🔒 withdraw your consent;
- 🔒 receive communications relating to the processing of your personal data in a concise, transparent, intelligible and easily accessible form, using clear and plain language;
- 🔒 access your personal data;
- 🔒 request the deletion of personal data (subject to obligations imposed by law that Gold Fields needs to adhere to for recording, retention and retrieval);
- 🔒 object to how we process or restrict our processing of your personal data;
- 🔒 rectify inaccurate personal data via the Gold Fields Platform or by consulting your regional HR-team;



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- 🔒 help you move your information to other companies; and
- 🔒 file a complaint with the Information Regulator.

We will honour any requests as required under applicable data protection laws and rules but the rights set out above are not absolute; they do not always apply and exemptions may be engaged. If we do not comply with your request, we will explain why.

You acknowledge that, in the rare circumstances that we ask for your consent to process your personal data that consent is not mandatory, but by not giving the required consent, the efficient and consistent administration of your employment life cycle at Gold Fields may be impacted.

Your Responsibility

As an employee, you are responsible for the accuracy and completeness of your personal data that you have provided to Gold Fields. The quality of information ensures that both Gold Fields and you derive maximum value from the use of your personal data, for the purposes of your employment. Please ensure that you keep your personal data, as reflected on Gold Fields Platform, accurate and up-to-date.

Assistance

Should you have any question in relation to this Policy Statement, or would like more information relating to your personal data and how Gold Fields processes it, you are more than welcome to engage with your regional HR-team or visit the [Group Data Protection & Privacy Gateway](#) located on the Group Intranet.

Policy Maintenance

This Policy Statement may change from time to time. We will notify you if any of the changes through an appropriate channel.

Policy Statement Date: 15/10/2018
Version number: 1.0
Next Review: 31/01/2019
Policy Owner: Group Legal & Compliance
Location: [Group Policy Register](#)
[Group Data Protection & Privacy Gateway](#)



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