	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

PEXMART CC'S THE PROTECTION OF PERSONAL INFORMATION ACT NO 4 OF 2013 (POPI) POLICY

1. Introduction:

This POPI policy describes the way that Pexmart and its affiliates will meet its legal obligations and requirements concerning confidentiality and information security standards. The requirements within the policy are primarily based on the Protection of Personal information Act No.4 of 2013, as key guidance on the security and confidentiality of personal information.

2. Contact Details

Head of Company: Andre Janse van Rensburg (Information Officer)
 Deputy Information Officer: Leeann van der Walt
 Postal Address: P.O Box 5168, Pretoria, 0001
 Telephone Number: 012 376 2347
 Email Address: paia@pexmart.co.za

3. Definitions

3.1. "Information" means Personal Information, Special Personal Information and information of children as defined in POPI.


3.2. "Stakeholders" means the persons as mentioned in clause 4 below and are consequently **Data subjects** as described below.

3.3. "Data Subject" means the person to whom the information relates.

3.4. "The Company" means Pexmart.

3.5. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to –

- a)** Information relating to the race , gender, sex, pregnancy, marital status, national, ethnic, or social origin, colour, sexual orientation, age, physical or mental health,

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
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well-being, disability, religion, conscience, belief, culture, language and birth of the person;


- b) Information relating to the education or the medical, financial, criminal or employment history of the person;
- c) Any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- d) The biometric information of the person;
- e) The personal opinions, views or preferences of the person;
- f) 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;
- g) The views or opinions of another individual about the person; and
- h) 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.

3.6. "Special Personal Information" means – their religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or the criminal behaviour of a data subject to the extent that such information relates to – i) the alleged commission by a data subject of any offence; or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

SECION A: PEXMART PROCESSING

4. Stakeholders

This policy applies to all Group employees, directors, members, contractors, sub-contractors, agents, representatives, clients, suppliers, and third-party providers. The provisions of this policy are applicable both on and off-site processing of personal- and special personal information.

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
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5. Policy Statement


Pexmart processes personal information of natural and juristic persons with whom it works in order to operate and carry out its business operations effectively. Special personal information and personal information of children is collected only where required and in strictly limited circumstances. Pexmart regards the lawful and appropriate processing of all information as crucial to our successful service delivery, general operations and essential to maintaining confidence between those parties' whose information we process. Pexmart therefore fully endorse and commit to adhere to the principles of POPI.

6. Processing of Personal Information

6.1. Purpose of Processing

Pexmart uses the information under its care in the following ways:

- 6.1.1. Processing quote requests;
- 6.1.2. Processing tender documents;
- 6.1.3. Processing purchase orders;
- 6.1.4. Processing invoices and statements;
- 6.1.5. Processing credit applications;
- 6.1.6. Processing job cards;
- 6.1.7. Processing Deliveries & Collections;
- 6.1.8. Processing New, Old, and current employee information including that of their children where required;
- 6.1.9. Internal processing of financial information;
- 6.1.10. Initiating legal proceedings and processing of legal matters;
- 6.1.11. Executing contracts and contract negotiations;
- 6.1.12. Security checks on stakeholders entering & exiting our various sites;
- 6.1.13. Covid screening of stakeholders
- 6.1.14. The proper functioning of the HR Department.
- 6.1.15. Processing of Payroll
- 6.1.16. Processing of employee benefits

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

6.2. Categories of Data Subjects and their Information

Pexmart may at various stages in its operations possess records and information of data subjects. Below the various data subjects/stakeholders are categorized and the possible information which may be collected and processed by us:

Data Subject/Stakeholder	Information processed
Clients: Natural Persons	Names, Surname, Contact details, Physical address, postal address, delivery address, ID number, Passport Number, nationality, gender, and any other information which is required in order to properly service the client.
Clients: Juristic Persons	Name, Registered Name, Trading Name, Name & Surname of Contact person, contact details, Name & Surname of - Directors, -Members, -trustees etc., Physical Address, Postal address, delivery address, founding documents, financial statements, Credit information, customer information, trade references (Any other information required in order to perform credit checks and provide credit), VAT Number, Registration number, BEE Status, authorized signatories, owners, beneficial owners, and any other information which is required in order to properly service the client.
Suppliers/Third Party Providers	Name and/or Surname, Registered Name, Trading Name, Name & Surname of Contact person, contact details, Name & Surname of- Directors, -Members, -trustees etc., Physical Address, Postal address, Collection- address, Founding documents, trade references, VAT Number, Registration number, ID Number, Passport Number, BEE Status, authorized signatories, owners, beneficial owners, and any other information which is required in order to properly obtain service from the supplier or third party provider.




PEXMART GROUP QUALITY MANAGEMENT SYSTEM

PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY

Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

<p>Contractors, Sub-Contractors, Agents, representatives</p>	<p>Name and/or Surname, Registered Name, Trading Name, Name & Surname of Contact person, contact details, Name & Surname of- Directors, -Members, -trustees etc., Physical Address, Postal address, Collection-/Performance-/Delivery-address, Founding documents, trade references, VAT Number, Registration number, ID Number, Passport Number, BEE Status, authorized signatories, owners, beneficial owners, and any other information required to manage the services.</p>
<p>Employees/Directors/Members</p>	<p>Names, Surname, Contact details, Physical address, postal address, ID -, Passport - number, Work permit, Asylum seeker permit (And copies of these documents reflecting these numbers and information), nationality, gender, age, race, trade union, health, finger prints, photo, biometric information required for security details, marital status, next of kin (Name, Surname, contact details), Children (Name Surname & age), medical aid details, medical certificates, banking details (Proof of Account), tax number & details, Education (Certificates & Reports), qualifications (Certificates), References, Criminal record (Criminal Checks), Employment history, Previous Salary details (Salary Slip), Blood Type, Allergies, Driver's license (Copy), any medical conditions which may affect the execution of his duties or which may be harmful and place fellow employees at risk, any medical reports and checks which was done by and paid for by the company in respect of Health and Safety laws and Regulations, drug and alcohol tests and information as stipulated in any other policy or procedure of the Company, and any other information required for the proper functioning and running of the HR department and management of Human resources in the Company.</p>

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

6.3. Categories of recipients for the processing of information

Pexmart may share some of the information collected with its third-party providers, agents, affiliates, and associated companies who may process this information in order to provide the company and the data subject with benefits and services and/or performance such as:


- 6.3.1. Administration of Medical Aid and/or Pension Schemes
- 6.3.2. Storing of Data
- 6.3.3. Capturing or organizing of data
- 6.3.4. Reporting or statistical purposes
- 6.3.5. Conducting due diligence checks
- 6.3.6. Correspondence to customers, suppliers, third-party providers, contractors and sub-contractors.
- 6.3.7. Payroll Services
- 6.3.8. IT Services
- 6.3.9. Tax Services
- 6.3.10. Skills Development
- 6.3.11. Any other ancillary services or procedures.

6.4. Actual or Transborder Flows of Personal Information

Information may be transmitted transborder to authorized vendors and its suppliers in other countries. Further, information may be stored in data servers hosted outside of South Africa. Pexmart will endeavour to ensure that these vendors and suppliers make all reasonable efforts to secure said data and information.

6.5. Retention of Information and records

Pexmart will retain information for the periods as stipulated in the laws and regulations of the Republic of South Africa. Where not retention period is prescribed in terms of

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

the laws and regulations of the Republic of South Africa, the company internal policies will determine the period of retention and where the internal policies does not stipulate the period of retention, the period of retention shall be for a minimum of 5 years unless otherwise decided by senior management.

The SAICA “Retentions of Records Guide” will be used as the guideline indicating the periods of retention as legislatively required.


6.6. General Description of Information Security Measures

Pexmart employs up to date technology to ensure that the information under its care retains its confidentiality, integrity and availability. These measures include but are not limited to:

- 6.6.1. Fire Walls
- 6.6.2. Back ups
- 6.6.3. Virus protection software and update protocols
- 6.6.4. Logical and Physical Access Control
- 6.6.5. Secure setup of Hardware and software making up the IT infrastructure
- 6.6.6. Outsources third party providers who process information on behalf of Pexmart and a contracted to implement security controls
- 6.6.7. Internal processes and procedures

7. Access to Information

All Data subjects/stakeholders may request access, amendment, object processing and/or deletion/destruction of their information held by Pexmart. Any such request should be directed to the Information Officer on the prescribed form together with all required supporting documents (*[Form 1 - POPI - Objection to Processing of PI](#); [Form 2 - POPI - Request Correction or Deletion of PI](#); and [Form 3: POPI – Request to Access to Information](#)*). The process and procedures in respect of such a request or a request in

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

respect of the Promotion of Access to Information Act 2 of 2000 is set out in the PAIA manual available on the company website or from HR.

7.1. Remedies available where the request for access to information is refused:

- 7.1.1. Pexmart does not have an internal appeal procedure in light of a refusal from the Information officer or his Deputy(s), the decision made is final.
- 7.1.2. The Requester may in accordance with section 56(3)(c) and 78 of PAIA, apply to a court for relief within 180 days of the notification of the decision for appropriate relief.

7.2. Grounds for refusal

The grounds on which access can be refused is stipulated in PAIA and is set out in the PAIA manual which can be accessed from the company website or from HR.


SECTION B: POPI 8 PROCESSING CONDITIONS

8. The Eight Processing Conditions

The eight processing conditions which will be explained below, must in respect of POPI be followed and implemented at all times in order to ensure compliance with the Act.

8.1. Condition #1 Accountability

- 8.1.1. The Company is the responsible party in terms of POPI and must ensure that these 8 Processing Conditions are complied with in their operations.
- 8.1.2. The stakeholders as set out in clause 4 of this policy, are the various individuals, ranging from employees to contractors etc. who may process information on behalf of the Company.
- 8.1.3. Therefore, all employees and stakeholders must keep these 8 Condition in mind when executing their duties in respect of the information they may be processing on behalf of the Company and ensure compliance with.

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

8.2. Condition #2 Processing Limitation

Information must be processed lawfully, and in such a manner which does not infringe the privacy of the data subject.

Further the information may only be processed if the given purpose for which it is processed is adequate, relevant and not excessive.

8.2.1. Consent & Justification

8.2.1.1. Personal information may only be processed if –

8.2.1.1.1. The Data Subject Consents to the processing

8.2.1.1.2. Processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party to

8.2.1.1.3. Processing complies with a legal responsibility imposed on the Company

8.2.1.1.4. Processing protects a legitimate interest of the data subject

8.2.1.1.5. Processing is necessary for pursuing a legitimate interest of the Company, or third party to whom the information is supplied.


8.2.1.2. There is a general prohibition on the processing of Special Personal Information, however, the following exceptions apply, and Special Personal information may be processed when-

8.2.1.2.1. Processing is carried out with the consent of the data subject

8.2.1.2.2. Processing is necessary for the establishment, exercise or defence or a right or obligation in law

8.2.1.2.3. Processing is necessary to comply with an obligation of International public law

8.2.1.2.4. Processing is for historical, statistical or research purposes but only to the extent as allowed in the Act

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

8.2.1.2.5. Information has deliberately been made public by the data subject

8.2.1.2.6. The provisions in the Act relating to religious & philosophical beliefs, race or ethnic origins, trade union membership, political persuasion, health or sex life, and criminal behaviour or biometric information has been complied with.

8.2.2. **Objection to Processing**

8.2.2.1. All data subjects have the right to refuse or withdraw their consent to the processing of their information and the data subject may at any time object to the processing of their information, unless legislation provides for such processing.

8.2.2.2. Where a data subject objects to the processing of information they must complete "[Form 1 - POPI - Objection to Processing of PI](#)" which objection must be sent to the Information officer or his deputy.

8.2.2.3. The information Officer has 15 workdays to consider the objection and provide the data subject with a response.

8.2.2.4. As soon as an objection has been received the responsible party will stop with the processing until the above procedure has been finalized.

8.2.3. **Collection of information directly from the data subject**


Information must be collected directly from the data subject except in the following circumstances:

8.2.3.1. The information is contained in a public record

8.2.3.2. The information has been made public deliberately by the data subject

8.2.3.3. The information is collected from another source would not prejudice the data subject

8.2.3.4. The collection of the information from another source is necessary to maintain, comply with or exercise any law or legal right

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021


8.2.3.5. Collection from the data subject would prejudice the lawful purpose of collection

8.2.3.6. Collection from the data subject is not reasonably practicable

8.3. Condition #3 Purpose Specification

- 8.3.1. Information in terms of POPI may only be collected for a specific, lawful, explicitly defined purpose which relates to the operations of the company.
- 8.3.2. Clause 6 above sets out the purpose in respect of which an employee or stakeholder may process information on behalf of the company.
- 8.3.3. It is every **employee's responsibility** or Stakeholder's responsibility to ensure that they do not process information which exceeds the purpose for which the information was collected.
- 8.3.4. Information may also not be kept for longer as legislatively prescribed and where there is no legislative prescribed retention period the information as mentioned above in clause 6.5 must be kept for a min period of 5 year unless determined otherwise by senior management.
- 8.3.5. See below Annexure A setting out some of the information retention periods as prescribed by legislation. Each manager and employee must ensure that they are aware of the retention periods applicable to their departments, duties and responsibilities.
- 8.3.6. Once information is no longer used or retained in respect of the retention periods as mentioned, the information must be destroyed, deleted or de-identified as soon as practicable possible and must be done in such a manner as to prevent the reconstruction of the information in an intelligible form.
- 8.3.7. Only certain identifiable employees or stakeholders will be responsible for the destruction on information and there will be specific policies and procedures regulating such destruction.

8.4. Condition #4 Further Processing

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

8.4.1. Information already collected and processed by an employee or stakeholder may only be processed further if it is compatible with the purpose for which it was collected originally.

8.4.2. For an employee or stakeholder to determine whether the further processing of information is compatible with the purpose for which it was collected they must take the following into account:

8.4.2.1. The relationship between the purpose of the intended further process and the purpose for which the information was collected

8.4.2.2. The nature of the information concerned

8.4.2.3. The consequences of the intended further processing for the data subject

8.4.2.4. The manner in which the information was collected

8.4.2.5. Any contractual rights and obligations between the parties

8.4.3. Under the following circumstances, the further processing of information will not be incompatible with the purpose of collection if:

8.4.3.1. The data subject has consented to the further processing

8.4.3.2. The information is contained in a public record

8.4.3.3. The information is deliberately made public by the data subject

8.4.3.4. Further processing is necessary to maintain, comply with or to exercise any law or legal right


8.4.3.5. Further processing is necessary to prevent or mitigate a threat to public health or safety or the life or health of the data subject or a third party

8.4.3.6. The information is used for historical, statistical or research purposes

8.5. Condition #5 Information Quality

8.5.1. The employee and stakeholder must take reasonably practicable steps to ensure that the information collected is complete, accurate, not misleading and updated when necessary.

8.5.2. Some of the steps which can be taken to ensure the quality of the information is:

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021


- 8.5.2.1. Requesting documentary proof of the information (Example: ID Copy, Company CIPC documents, Proof of address, Doctors certificate, Proof of bank account etc.) Which documents may not be older than 3 months; or
- 8.5.2.2. Company Resolutions; or
- 8.5.2.3. Signed Consent form with the required information, etc.
- 8.5.2.4. Application or Information forms
- 8.5.2.5. Any other method to validly verify the information, quality and correctness thereof.

8.6. Condition #6 Openness

- 8.6.1. If information collected from a data subject, the employee or stakeholder must take all required steps to ensure the data subject is aware of-
 - 8.6.1.1. What information is collected and the source of the information
 - 8.6.1.2. The name and the address of the responsible party
 - 8.6.1.3. The purpose for which the information is collected
 - 8.6.1.4. Whether the supply of the information by the data subject is voluntary or mandatory
 - 8.6.1.5. The consequences of the failure to provide the information
 - 8.6.1.6. Where applicable, if the information collected will be transferred to a third party, to another country or international organization
 - 8.6.1.7. The right of the data subject to lodge a complaint with the Information Regulator

- 8.6.2. Where an employee or stakeholder of the Company has complied with the above-mentioned requirements, the employee or stakeholder complies with the requirements for the subsequent collection of information or similar information from the data subject if the purpose of the collection remains the same.

8.7. Condition #7 Security Safeguards

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

8.7.1. It is every employee or stakeholder responsibility to secure the integrity and confidentiality of information in its possession and under its control at ALL TIMES, by taking appropriate, reasonable technical and organizational measures ([Security Procedures](#)) to prevent –


- 8.7.1.1. The loss of, damage to or unauthorized destruction of personal information; and
- 8.7.1.2. Unlawful access to or processing of personal information.
- 8.7.1.3. An employee or stakeholder is not allowed to remove copy or destroy any information on-site or off-site.

8.7.2. Written/documentary Records (Hard Copy)

- 8.7.2.1. Information records should be kept in locked cabinets, or safes in offices/filing/storerooms which are locked where access is controlled;
- 8.7.2.2. When in use information should not be left unattended in areas where non-staff members or unauthorized personnel may access them;
- 8.7.2.3. The company will implement a “Clean Desk Policy” where all employees or stakeholders must clear their desks of all personal information when leaving their desks for any length of time and at the end of the day. Where this is not possible the office must be locked when leaving their offices for any length of time and at the end of the work day;
- 8.7.2.4. Information may not just be thrown away in a dustbin, it must be disposed of in appropriate manner example shredding or as prescribed by company policy.

8.7.3. Electronic Records

- 8.7.3.1. All electronically held information must be saved in a secure database;
- 8.7.3.2. As far as reasonably practicable, no information should be saved on individual computers, laptops or hand-held devices. Should there be a security breach as a result, the employee or stakeholder which held the information will be held personally responsible and they will be liable for any

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
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penalties and fines levied against the company as a result including any and all ancillary costs including but not limited the legal cost.

8.7.3.3. All computers, laptops and handheld devices should be access protected with a password, fingerprint or retina scan, with the password being of reasonable complexity and changed frequently;

8.7.3.4. The Company hereby implements a “Clean Screen Policy” where all employees shall be required to lock their computers, laptops or handheld devices when leaving their desks for any length of time and log off at the end of the day;


8.7.3.5. Saved on server and each manager must ensure that only the appropriate personal has access to those folders and information and where this is not in place, they need to inform the information officer and IT in order to correct the permissions on those folders.

8.7.3.6. Electronic information may not just be disposed, it must be done in appropriate manner as prescribed by company policy.

8.7.4. Any loss or theft of, or unauthorized access to information or any loss or theft of computers, laptops or other devices which may contain information MUST BE IMMEDIATELY reported to the Information officer.

8.7.5. Any information which comes to the attention of an employee or stakeholder whether they are authorized or unauthorized to have access to such information must be kept strictly confidential and may not be disclosed to any other party. Should an employee or Stakeholder disclose, destroy or remove such information from the Company’s premises the employee or stakeholder will be held strictly liable for any loss, damage, penalties, fines or any other ancillary costs including but not limited to legal cost involved with such disclosure, removal or destruction.

8.8. Conditional #8 Data subject participation

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

8.8.1. Access to information & Correction or destruction of Information

8.8.1.1. As mentioned, in clause 7 above, a data subject is allowed to have access to the information we hold on their behalf.

8.8.1.2. The process of accessing information is set out in the PAIA manual and *(From 3: POPI – Request to Access to Information)* must be completed and submitted to the Information officer or his deputy.


8.8.1.3. Correction amendments or destruction requests may also be requested by the data subject, and they must use *(Form 2 - POPI - Request Correction or Deletion of PI)* to make such a request, and which request must be submitted to the Information Officer.

9. Direct Marketing

9.1. Direct marketing via electronic means is only permitted in terms of POPI, to existing customers where:

- 9.1.1. If the customer's details were obtained in the context of a sale or service; and
- 9.1.2. For the purpose of Marketing the same or similar products or services
- 9.1.3. The customer must be given an opportunity to opt-out of receiving direct marketing on each occasion of direct marketing.

9.2. The company will under no circumstances sell the information of its customers, suppliers, employees or any other stakeholders' information for direct marketing purposes.

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

ANNEXURE A: RECORD RETENTION

The retention periods as issued below is as of date of issue of this policy. It is each employee, manager and stakeholder's responsibility to always check the latest issue of the Retention of Record Guide as issued by SAICA and the relevant Legislation as amended from time to time to ensure that the records are kept for the correct time periods.

Electronic Communications and Transactions Act 25 of 2002		
	Document	Retention Period
	Reference: Section 51(5), (7) and (8)	
1	Personal Information and the purpose for which the data was collected must be kept by the person who electronically requests, collects, collates, process or store the information	For as long as the information is used and min 1 year thereafter.
2	A record of any third party to whom the information was disclosed must be kept for as long as the information is used.	For as long as the information is used and min 1 year thereafter.
3	All personal data which has become obsolete	Destroy according to procedure
Compensation for Occupational Injuries and Diseases Act 130 of 1993		
	Document	Retention Period
	Reference: Section 81(1) and (2)	
1	A register or other record of the earnings and other prescribed particulars of all employees	5 years after the date of the last entry in that register or record
Occupational Health and Safety Act 85 of 1993		
	Document	Retention Period
	Reference: General Administration Regulations 2003, 9(1) and 5(1)	
1	An employer or user shall keep at a workplace or section of a workplace , as the case may be, a record in the form of <u>Annexure 1</u> for a period of at least 3 years, which record shall be open for inspection by an inspector, of all incidents which he or she is required to report in terms of section 24 of the Act	3 years



PEXMART GROUP QUALITY MANAGEMENT SYSTEM


PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY

Doc No. POPI Policy	Reviewed:	Prepared by: L vd Walt	Authorized by: Andre Jv Rensburg	Rev: 01
Issued: June 2021	1 JULY 2021	Deputy information Officer	MANAGING MEMBER	Effective:01/07/2021

	and also of any other incident which resulted in the person concerned having had to receive medical treatment other than 1 st Aid.	
2	A health and safety committee shall keep record of each recommendation made to an employer in terms of issues affecting the health of employees and of any report made to an inspectors contemplated in section 20(2) of the Act	3 years
	Reference: Asbestos Regulations, 2001, Regulations 16 (e) and (f)	
3	Records of assessment and air monitoring, and the asbestos inventory	Min 40 years
4	Medical Surveillance Records	Min 40 years
	Reference: Hazardous Biological Agents regulations, 2001, Regulation9(1) and (2)	
5	Records of Risk assessments and air monitoring Results	40 years
6	Medical Surveillance records	40 ears
	Reference: Hazardous Chemical Substance Regulations 1995, Regulation 9	
7	Records of assessments and air monitoring	30 years
8	Medical Surveillance records	30 years
	Reference: Noise Regulations (MOSA) Regulation 11	
9	All records of assessments and noise monitoring	40 years
10	All medical surveillance records, including the baseline audiogram of everyone	40 years

Basic Conditions of Employment Act 75 of 1997

	Document	Retention Period
	Reference: Section 29(4)	
1	Written particulars of employee must be kept after termination of employment.	3 years after the termination of employment
	Reference: Section 31	
2	Employee's name and occupation	3 years from
3	Time worked by each employee	3 years from the date of the last entry in the record
4	Remuneration paid to Each employee	
5	Date of Birth of any employee under 18 years of age	
6	Any other prescribed information	

	PEXMART GROUP QUALITY MANAGEMENT SYSTEM			
	PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY			
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Employment Equity Act 55 of 1998		
	Document	Retention Period
	Reference: Section 26	
1	An Employer must establish and maintain records in respect of its workforce, its employment equity plan and other records relevant to its compliance with this Act	5 years after the expiry of the plan
	EE Regulations, 2014 reference: regulation 9(3)	
2	A designated employer must retain their employment equity plan	5 years after the expiry of the plan
	Reference: Section 21 – EE regulations: regulation 10(9)	
3	A designated employer must submit a report to the Director General once every year. This report should be retained after the submission to the Director General	5 years after it has been submitted to the Director General
Labour relations Act 66 of 1995		
	Document	Retention Period
	Reference: Section 205(3)	
1	Employer must keep prescribed details of any strike, lock-out or protests action involving its employees	Indefinite
	Schedule 8, Section 5	
2	Employers should keep records for each employee specifying the nature of any disciplinary transgressions, the actions taken by the employer and the reasons for the actions.	
Unemployment Insurance Act		
	Document	Retention Period
	Reference; Section 56(2)(c)	
1	Employers must maintain personal records of each of their current employees in terms of: <ul style="list-style-type: none"> - Names - Identification numbers - Monthly remuneration - Address where the employee is employed 	5 years from the date of submission of return evidencing payment (EMP201) and (EMP501)
Income Tax Act 58 of 1962		
	Document	Retention Period
	Reference: 4th Schedule para 14(1)	



PEXMART GROUP QUALITY MANAGEMENT SYSTEM

PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY

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1	In addition to the records required in section 29 of the tax Administration Act 28 of 2011 (TAA) in respect of each employee, the employer shall keep a record showing (para 14(1)(a)-(d)): <ul style="list-style-type: none"> - Amount of remuneration paid or due by him to the employee - The amount of employees' tax deducted or withheld from the remuneration paid or due; - The income tax reference number of that employee - Any further prescribed information 	5 years from the date of submission of the return evidencing payment (i.e., EMP201) and 5 years from the date of submission of the return required by gazette (i.e. EMP501)
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Value Added Tax Act, 89 of 1991

	Document	Retention Period
	In addition to the records required in Chapter 4, part A of the TAA, every vendor must keep records as indicated below:	
	Reference: Section 11(3)	
1	Where the zero rate is applied by any vendor documentary proof must be obtained and retained to substantiate the entitlement to the zero rate The SARS Commissioner published <u>Interpretation Note 31</u> as guidance to set out the documentary proof that is acceptable to the Commissioner as contemplated on section 11(3), in instances where goods or services are supplied at zero rate.	5 years from the date of submission of the return
	Reference: Section 15(9)	
2	Where a vendor's basis of accounting is changed, the vendor shall prepare lists of debtors and creditors showing the amounts owing by the debtors and owing to the creditors at the end of the tax period immediately preceding the changeover period.	5 years from the date of submission of the return
	Reference: Section 16(2)	
3	Records must be provided where a VAT vendor wish to deduct input tax in respect of a supply of goods and services, or import goods, or claim any other deductions for VAT purposes: <ul style="list-style-type: none"> - Tax Invoice/debit note, credit note of that supply in accordance with section 20 or 21 	At the time of that a return is furnished and a further 5 years from date of submission of the return



PEXMART GROUP QUALITY MANAGEMENT SYSTEM

PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY

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	<ul style="list-style-type: none"> - Where a tax invoice/credit note/debit note has been issued in relation to a supply by an agent or to an agent or a bill of entry as described in the customs and Excise Act, the agent shall maintain sufficient records to enable the name , address and VAT registration number of the principal to be ascertained - For a supply of second hand goods or a supply under an instalment agreement records must be maintained as referred to in section 20(8) - For imported goods, a bill of entry, or other documents prescribed by the custom and excise act and proof, by virtue of retention of the receipt of payment, that the VAT charge has been paid to SARS - For agent and principal relationship where imported goods are supplied, a bill of entry or other document prescribed in terms of the Customs and Excise Act as contemplated in sections 54(2A) is held by an agent, and a statement as contemplated in section 54(3)(b) is held by the vendor at the time that any return in respect of that importation is furnished - A ruling (requested no later than two months before expiry) of the five year period and such documents to which the ruling relates. <p>Section 16 refers to Section 55 of the VAT act and Part A od Chapter 4 of the TAA insofar that even if provided to SARS the Commissioner may disallow a deduction for input tax unless the tax invoice/debit note/credit note, bill of entry or documents concerned is retained by the taxpayer in accordance with these provisions</p>	
	Reference: Section 55(1)(a)	
4	<p>Vendors are obliged to keep the following records in addition to those required under part A of Chapter 4 of the TAA:</p> <ul style="list-style-type: none"> - Record of all goods and services supplied by and to the vendor showing the goods and services, the rate of tax applicable to the supply and the suppliers or their agents, in sufficient detail to enable the goods and services, the rate of tax, the suppliers or the 	5 years from date of submission of the return



PEXMART GROUP QUALITY MANAGEMENT SYSTEM

PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 - POLICY

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	<p>agents to be readily identified by the commissioner and all and invoices, tax invoices, credit notes, debit notes, bank statements, deposit slips, stock lists and paid cheques</p> <ul style="list-style-type: none"> - A record of all importation of goods required to be obtained relating thereto in terms of section 16(2)(d) - Documentary proof required to be obtained and retained in terms of section 16(2)(f) (i.e., where tax fractions apply) and 16(2)(g) (i.e., alternative documentary proof obtained due to being unable to obtain required documents) - The charts and codes of account, the accounting instruction manuals and the system and program documentation which describes the accounting system used for each tax period in the supply of goods and services - Any documentary proof required to be obtained and retained in accordance with section 11(3)(i.e., zero rate is applied) 	
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Trust Property Control Act

	Document	Retention period
	Reference: Section 17	
1	A trustee shall not without the written consent of the Master destroy any document which serves as proof of the investment, safe custody, control, administration, alienation or distribution of trust property before the expiry of a period of five years from the termination of a trust	5 years from the date from termination of a trust

Close Corporations Act 69 of 1984

	Document	Retention period
	Reference: Schedule 3 amended by Government Notice R1664 of 1982	
1	Accounting records, including supporting schedules to accounting records and ancillary accounting records.	15 years
2	Amended Founding Statement (Forms CK2 and CK2A)	Indefinite
3	Annual Financial Statement, including annual accounts and the report of the accounting officer	15 years
4	Founding Statement (From CK1)	Indefinite



PEXMART GROUP QUALITY MANAGEMENT SYSTEM

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5	Microfilm image of any original record reproduced directly by the camera – the “camera master”	Indefinite
6	Minutes books as well as resolutions passed at meetings	Indefinite
Companies Act 71 of 2008		
	Document	Retention period
	Reference: Section 17	
1	General rule for Company records: Any document, account, books, writing, records or other information that a company is required to keep in terms of the Act and other public regulation	7 years or longer (as specified in other public regulation)
2	Notice of Incorporation (Registration certificate)	Indefinite
3	Memorandum of incorporation and alterations or amendments	Indefinite
4	Rules	Indefinite
5	Register of company secretary and auditors	Indefinite
6	Regulated companies (companies to which chapter 5, part B, C and takeover regulations apply) – Register of disclosures of person who holds beneficial interest equal to or in excess of 5% of the securities of that class issued	Indefinite
7	Notice and minutes of all shareholders meeting including: - Resolutions adopted - Document made available to holders of security	7 years
8	Copies of reports presented at the annual general meeting	7 years
9	Copies of annual financial statements as required by the Act	7 years
10	Record of directors and past Directors, after the director has retired from the company	7 years
11	Copies of accounting records as required by the Act	7 years
12	Written communication to holders of securities	7 years
13	Minutes and resolutions of directors’ meetings, audit committee and directors committees	7 years
	Reference: Section 50	
14	Securities register and uncertified securities register	Indefinite