

10 June 2021
Version 2.0

DATA PROTECTION AND INFORMATION SHARING POLICY – SEAMLESS SECRETARIAL SOLUTIONS (PTY) LTD

INTRODUCTION

Seamless Secretarial Solutions (Pty) Ltd registration no 2019/148037/07 (“SSS”) is committed to compliance with the directives of the South African Constitution and national legislation and respects your right to privacy and therefore aims to ensure that we comply with the legal requirement of the POPI Act which regulates the manner in which we collect, process, store, share and destroy any personal information which you have provided to us.

The responsibility for administration of and compliance with POPIA and PAIA at SSS lies with the Information Officer as registered with the Information Regulator of South Africa under registration number 26731/2021-2022/IRRTT and requests pursuant to the provisions of these Acts should be directed as follows:

Contact person: Yvette Dembskey (*Information Officer*)
Address : 518 Kolbe Street
Witpoortjie Ext 18
Roodepoort, 1724
Telephone : 0829238228 / 0665794560
e-mail : info@seamsec.co.za

Why we collect Personal Information:

We collect personal information in order to liaise with you telephonically or by email so that we may:

1. Respond to any query or comment received from you;
2. Inform you of compliance requirements in terms of legislation;
3. Enable us to process, validate and verify information and requests for the submission of documents to regulatory authorities, i.e., the Companies and Intellectual Properties Commission “CIPC”, the JSE, SARS, etc.
4. For the purposes for which you specifically provided the information; and
5. Generally, to facilitate that we can perform in accordance with the services offered by SSS.

Scope of the Policy

The Policy applies to all SSS employees, directors, sub-contractors, agents and appointees. The provisions of the policy are applicable to both on and off-site processing of personal information.

Policy Statement

This Data Protection and Information Sharing Policy describes how SSS will meet its legal obligations and requirements concerning confidentiality and information security standards. The requirements of the Policy are primarily based upon the Protection of Personal Information Act No 4 of 2013.

Processing of Personal Information

SSS uses Personal Information in the following ways :

1. In order to comply with any applicable laws on behalf of a company and at a company's or private person's request/instruction;
2. If called upon to do so as a result of an obligation imposed on SSS by law or to enforce the collection of revenue as defined in section 1 of the South African Revenue Services Act;
3. For the conduct of proceedings in any court or tribunal that have been commenced or are reasonably contemplated.
4. Administration of agreements;

Category of records held by SSS

Business Information

1. Documents of incorporation and MOI
2. Records relating to the appointment of directors / auditors / company secretary / public officer and other officers;
3. Minutes of meetings and Director / Shareholder resolutions
4. Share register, share certificates and other statutory registers
5. Annual financial statements and related financial records
6. Agreements

Personal Information

1. Full Names
2. Identity numbers and passport numbers
3. Proofs of residential addresses (general FICA documents)
4. Telephone numbers
5. E-mail addresses

Security Measures

SSS will :

1. Treat all business and personal information as strictly confidential;
2. Take appropriate technical and organisational measures to ensure that all personal information is kept Secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;
3. Promptly notify you if we become aware of any unauthorised use, disclosure or processing of your personal information;
4. Provide you with reasonable evidence of our compliance with our obligations under this policy on reasonable request; and
5. SSS will not retain your personal information longer than the period for which it was originally required, unless we are required by law to do so, or you consent to us retaining such information for a longer period.

Any loss or theft of, or unauthorised access to personal information must immediately be reported to the Information Officer referred to above.

ALTHOUGH WE TAKE THE AFOREMENTIONED PRECAUTIONS IN PROTECTING YOUR PERSONAL INFORMATION, WE SHALL HOWEVER NOT BE LIABLE FOR ANY LOSS OR DAMAGE, HOWSOEVER ARISING, SUFFERED AS A RESULT OF THE DISCLOSURE OF SUCH INFORMATION IF OUTSIDE OF OUR REASONABLE CONTROL.

The Personal Information processed by us is not and will not be routed/transferred to a third country or international organization unless prior permission from the owner of that information is obtained.

ACCESS TO PERSONAL INFORMATION

All individuals and entities may request access, amendment, or deletion of their own Personal Information held by SSS. Any requests should be directed, on the prescribed form, to the Information Officer.

Remedies available if request for access to Personal Information is refused:

a) Internal Remedies

SSS does not have internal appeal procedures. As such, the decision made by the Information Officer relating to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the Information Officer.

b) External Remedies

A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief. For purposes of the Act, courts that have jurisdiction over these applications are :

- the Constitutional Court,
- the High Court or another court of similar status.

Grounds for Refusal

SSS may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which SSS may refuse access include:

- Protecting personal information that SSS holds about a third person (who is a natural person) including a deceased person, from unreasonable disclosure;
- Protecting commercial information that SSS holds about a third party or SSS (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of SSS;
- Disclosure of the record would put SSS at a disadvantage in contractual or other negotiations or prejudice

it in commercial competition;

- The record is a computer programme; and
- The record contains information about research being carried out or about to be carried out on behalf of a third party or SSS;
- Records that cannot be found or do not exist.

If SSS searched for a record and it is believed that the record does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

TRANSBORDER FLOWS OF PERSONAL INFORMATION

The Personal Information processed by us is not and will not be routed/transferred to a third country or international organization unless specifically requested/instructed by the owner of such information to do so.

A handwritten signature in black ink, appearing to read 'Yvette Dembskey', is written over a printed name. The signature is cursive and somewhat stylized.

Yvette Dembskey

3 June 2021

