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MAKSURE FINANCIAL HOLDINGS PROPRIETARY LIMITED t/a MAKSURE RISK SOLUTIONS DATA PROTECTION POLICY


Company	Maksure Risk Solutions
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1. DEFINITIONS

Consent	means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information.
Data Subject	The individual or organisation to whom Personal Information relates. This includes: <ul style="list-style-type: none"> a) Prospective customers and customers; b) Staff members; c) Service providers, contractors and suppliers; and d) Members of the public
Direct Marketing	means to approach a Data Subject, either in person or by mail or electronic communication, for the direct or indirect purpose of: <ul style="list-style-type: none"> a) Promoting or offering to supply, in the ordinary course of business, any goods or services to the Data Subject; or b) Regarding the Data Subject to make a donation of any kind for any reason.
Information Officer	is responsible for ensuring the organisation's compliance with POPIA. Where no Information Officer is appointed, the head of the organisation will be responsible for performing the Information Officer's duties.
Operator	means a person who processes Personal Information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party.
Personal information	means any information relating to an identifiable individual (living or deceased) or an existing organisation (a company, public body, Business etc).

1. This includes Personal Information the Business may have of prospective customers, applicants, customers, staff members, service providers, contractors, suppliers and members of the public.
2. Examples include (but are 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, 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, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment
 - d) to the person;
 - i. the biometric information of the person;
 - ii. the personal opinions, views or preferences of the person;
 - iii. 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;
 - iv. the views or opinions of another individual about the person; and
 - v. 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.
 - vi. the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric

	<p>information of a Data Subject; or</p> <p>vii. the criminal behaviour of a Data Subject to the extent that such information relates to 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.</p>
<p>Processing</p>	<p>Any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:</p> <ul style="list-style-type: none"> a) a collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; b) dissemination by means of transmission, distribution or making available in any other form; or c) merging, linking, as well as restriction, degradation, erasure or destruction of information.
<p>Record</p>	<p>means any recorded information, regardless of form or medium, including:</p> <ul style="list-style-type: none"> a) Writing on any material; b) Information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, record or stored; c) Label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means; d) Book, map, plan, graph or drawing; and e) Photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment,

	of being reproduced.
Responsible Party	Is the entity that needs the Personal Information for a particular reason and determines the purpose of and means for processing the Personal Information. In this case, the organisation is the responsible party.
Special Personal Information	<p>Personal information concerning:</p> <p>a) the 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</p> <p>b) the criminal behaviour of a Data Subject to the extent that such information relates to:</p> <p>i. the alleged commission by a Data Subject of any offence; or</p> <p>ii. any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings.</p>

2. PURPOSE

- 2.1. The Protection of Personal Information Act, 4 of 2013 ('POPIA') aims to promote the Right to Privacy, as entrenched in Section 14 of the Constitution of the Republic of South Africa, by providing guidance, via principles for processing, to be applied by all business enterprises in South Africa.
- 2.2. The right to privacy includes the right to be protected against the unlawful collection, retention, dissemination, and use of one's Personal Information.
- 2.3. Maksure Risk Solutions ('the Company') collects, uses, processes, and stores the Personal Information of clients, service providers, employee's, potential employees and other stakeholders and is, thus, obligated to comply with POPIA, and the principles housed therein.

- 2.4. This Policy aims to set out how the Company will ensure compliance with POPIA and ensure the confidentiality of all Personal Information held.
- 2.5. This Policy is to be read in conjunction with the PAIA Manual and the Information Security Policy to be found on the website: www.maksure.co.za.

3. POLICY STATEMENT

- 3.1. The Company is committed to protecting its Data Subjects' privacy and ensuring their Personal Information is used appropriately, transparently, securely and in accordance with POPIA, and related regulation.
- 3.2. The Company is obliged to inform its Data Subjects about why and how their Personal Information is used, disclosed, stored, and destroyed.
- 3.3. The Company pledges to protect Personal Information by:
 - a) Strictly complying with the requirements and guidelines of POPIA;
 - b) By requesting, when required, and respecting the consent of the Data Subject;
 - c) Protecting the privacy of all Data Subjects; and
 - d) Remaining transparent and accountable.

4. RIGHTS OF THE DATA SUBJECT

4.1. The Right to access Personal Information.

- 4.1.1. The Company recognises that a Data Subject has the right to establish whether the Company holds Personal Information related to them, including the right to access to that Personal Information.
- 4.1.2. Data subjects may exercise this right via the data request form to be found in the PAIA Manual, as 'Annexure A', which details the process for access and the fees required.

4.2. The Right to have Personal Information corrected or deleted.

4.2.1. The Data Subject has the right to request that their Personal Information must be corrected or deleted where the Company is no longer authorised to retain the Personal Information.

4.2.2. The Company requires that the Data Subject notify us, in writing via the data request form to be found in the PAIA Manual, should:

- a) any updates or amendments be required in respect of the Data Subject's Personal Information.
- b) The Data Subject require that their Personal Information be deleted and/or destroyed.
- c) The Data Subject wish to restrict the processing of their Personal Information.

4.3. The Right to object to the processing of Personal Information.

4.3.1. The Data Subject has the right, on reasonable grounds, to object to the processing of their Personal Information.

4.3.2. The Company will give all due consideration to the request, against the requirements of POPIA.

4.3.3. The Company may cease to process the Data Subject's Personal Information and may, subject to any statutory and contractual record keeping requirements, also approve the destruction of Personal Information.

4.3.4. Should a Data Subject require to exercise this right, they may do so via the data request form to be found in the PAIA Manual.

4.4. The Right to object to Direct Marketing.

4.4.1. The Data Subject has the right to object to the processing of their Personal Information for the purposes of direct marketing by way of electronic communication that has not been consented to.

4.4.2. The Company will ensure that all Direct Marketing requests sent out to client include an Opt-In option, as opposed to an Opt-Out.

4.4.3. The Company will respect the option elected by the Data Subject, and will indicate within its system, the Data Subject's decision.

4.5. The Right to complain to the Information Regulator.

4.5.1. The Data Subject has the right to submit a complaint to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of their Personal Information.

4.5.2. All Data Subjects may submit their complaints to the Information Officer via the Data Request Form to be found in the PAIA Manual.

4.5.3. All complaints can be directed to Information Regulator via the PAIA 5 Form (which can be found on the Information Regulator's website) and then submitted to PAIAComplaints@inforegulator.org.za for requests denied by and non-responses of the Information Officer and POPIAComplaints@inforegulator.org.za for POPIA violations.

4.6. The Right to be informed.

4.6.1. The Data Subject has the right to be notified that their Personal Information is being collected, and why, by the Company.

4.6.2. The Data Subject also has the right to be notified in any situation where the Company has reasonable grounds to believe that the Personal Information of the Data Subject has been accessed or acquired by an unauthorised person.

4.6.3. The Company will send a Privacy Notice to all clients, employees, potential employees and Suppliers, in order to detail what specific information it collects from the relevant party, why it collects same and the methods employed in the protection of the Personal Information that it holds.

5. THE PRINCIPLES OF PROTECTING PERSONAL INFORMATION

The Company protects Data Subject's privacy by:

5.1. Accountability

5.1.1. The Company will take appropriate sanctions where necessary, including disciplinary action, against individuals who fail to comply with this Policy.

5.1.2. The Company also encourages all Data Subjects to hold us accountable should we fail to upload the precepts of POPIA and this Policy by laying a complaint with us.

5.1.3. Should the Data Subject be unhappy with how we have handled the complaint, or any Request per PAIA, we further encourage them to lay a formal complaint with the Information Regulator.

5.2. Processing Limitation

5.2.1. The Company will ensure that all Personal Information is processed in a fair and lawful way, with the informed consent of the Data Subject concerned, for specifically defined purposes.

5.2.2. All Data Subjects will be informed of the reason for collecting their Personal Information, via the Privacy Notice and the Company will obtain the written consent of the Data Subject, prior to processing, where necessary.

5.3. Purpose Specification

5.3.1. The Company will process Personal Information for specific, explicitly defined and legitimate reasons.

5.3.2. These will be provided to the Data subject, via the Privacy Notice, prior to the collection, processing and storage of the Personal Information.

5.4. Further Processing Limitation

5.4.1. Personal Information will not be processed for a secondary purpose, unless that processing is compatible with the original purpose.

5.4.2. The Company will seek the Data Subjects' consent, should we require the use of Personal Information for a purpose other than that stated in the Privacy Notice.

5.5. Information Quality

5.5.1. The Company will take all reasonable steps to ensure that all Personal Information that is collected or recorded, is complete, accurate and not misleading.

5.5.2. This will be done by verifying the accuracy from a third-party source and the Data Subject, themselves.

5.5.3. The Company will ensure that the Personal Information received is stored in its original form, and that all copies made uphold the integrity of the Personal Information.

5.6. Open Communication

5.6.1. The Company will take all the reasonable steps to ensure that Data Subjects are notified when their data is being collected, including the purpose for which it is being collected and processed.

5.6.2. This will be done via the Privacy Notice, which will be sent to Data Subject.

5.6.3. The Company has appointed an Information Officer and the Deputy Information Officer, to whom all Data Subjects may contact should they want to:

- a) Enquire whether the Company holds certain Personal Information,
- b) Exercise one of their POPIA/PAIA rights; and
- c) Make a complaint concerning the processing of Personal Information.

5.7. Security Safeguards

5.7.1. The Company will ensure the adequate security of its filing and record-keeping system, to ensure that all Personal Information is kept and processed safely.

5.7.2. The Company will subject its security to vigorous and regular testing and put measures in place to combat cyber-attacks on its Servers and IT Network.

5.7.3. All employees will be required to sign employment contracts with a confidentiality and privacy clause, specifically binding them to protecting the use and storage of Personal Information.

5.7.4. This will reduce the risk of vicarious unauthorised disclosures of Personal Information.

5.7.5. All the Company's service providers and operators will be required to sign service level agreements containing a mutual commitment to POPIA, and the lawful processing of any Personal Information pursuant to the agreement.

5.7.6. The Company's Information Officer will schedule and conduct periodic POPIA Audits.

5.8. Data Subject Participation

5.8.1. The Company has facilities, found in the PAIA Manual, to assist Data Subjects to participate in the processing, collection, sharing, correction and recording of data.

5.8.2. Data subjects are encouraged to go through the Manual to understand their rights, and remedies.

6. INFORMATION OFFICER

6.1. The Company's PAIA Information Officer has Appointed the Managing Director as the POPIA Information Officer and the Chief Operating Officer as the Deputy Information Officer, to dispose of the ~~duty to~~ correctly collect and process Personal Information.

6.2. The details of the Information Officer are as follows:

Name: Mr Knighty Mawere
Email: privacy@maksure.co.za
Telephone: + 27(11) 805 0086 / +27 71 748 1496
Address: Maksure Place, Block 3,
Waterfall Point,
Cnr Waterfall Drive & Woodmead Drive, Waterfall City,
2090.

The details of the Deputy Information Officers are as follows:

Name: Mr Simbarashe Makwembere
Email: privacy@maksure.co.za
Telephone: + 27(11) 805 0086 / +27 72 603 9176
Address: Maksure Place, Block 3,
Waterfall Point,
Cnr Waterfall Drive & Woodmead Drive, Waterfall City,
2090.

6.3.

Name: Miss Lethubuhle Ncube
Email: privacy@maksure.co.za
Telephone: + 27(11) 805 0086
Address: Maksure Place, Block 3,
Waterfall Point,
Cnr Waterfall Drive & Woodmead Drive, Waterfall City,
2090.

6.4. The core duties of the above officers are to:

- a) attend to the development of a compliance framework and to ensure the implementation thereof;
- b) encourage compliance, by the organisation, with the conditions for the lawful processing of Personal Information;

- c) ensure that internal awareness sessions are conducted regarding the provisions of POPIA, codes of conduct, or information obtained from the Information Regulator;
- d) developing, updating and aligning a manual for the purposes of PAIA;
- e) ensure compliance by the organisation with provisions of POPIA; and
- f) conduct Personal Information assessments to ensure that sufficient measures and standards exist to ensure the lawful processing of information.

6.5. Should any person require Personal Information from the Company, they are to follow the processes found in the PAIA Manual.

7. PRIVACY NOTICE

7.1. The Company has issued person specific Privacy Notices for Clients, Suppliers, Job Seekers, Employee's, and Regulators.

7.2. The Privacy Notices each contextually detail:

- a) The type of information the Company will require from that person in order to dispense with its duties;
- b) How the Information is used;
- c) The process for disclosure, should it be necessary;
- d) The Information Security measure employed to protect all data held;
- e) How long information may will be kept; and
- f) The Rights each person carries.

7.3. These will be sent out to the relevant person via email:

- a) upon signature of the employment agreement or mandate for Employee's;
- b) upon receipt of the applicants' documents for Job Seekers; and
- c) upon receipt of a request for information or prior to receipt of information for Supplier and/or Regulators.

7.4. A copy may also be requested from the Information Officer.

8. CONSEQUENCES FOR NON-COMPLIANCE WITH POPIA

8.1. Consequences for The Company

8.1.1. Conduct that contravenes this policy will result in substantial fines by the Information Regulator in South Africa and other jurisdictions, financial losses (e.g loss of funding) and/or reputational damage.

8.2. Consequences for The Company Employees

8.2.1. A serious failure to comply with POPIA, will lead to disciplinary action, which could ultimately result in dismissal.

8.2.2. The Company emphasizes that a culture of transparency, where employees feel comfortable reporting incidents of non-compliance rather than concealing them, is of paramount importance in achieving goals set forth in this policy.

8.2.3. Therefore, a failure by an employee to report non-compliance with this policy may also lead to disciplinary action.

8.3. Complaints to the Information Regulator

8.3.1. Should the Data Subject believe that The Company has processed their Personal Information in a manner or for a purpose which is against POPIA and/or this Policy, they may elect to contact the Information Officer per the Data Request Form, attached to the PAIA Manual.

8.3.2. The Information Officer will review the complaints process and reasons for complaint in order to assess the effectiveness of the complaints procedure and identify areas for improvement, and to ensure the avoidance of the trends that lead to complaints.

8.3.3. Should the Data Subject be dissatisfied with the method in which The Company has handled the matter, they may lodge a complaint with the Regulator using POPIA Form 5.

8.3.4. POPIA Form 5 may be submitted to the **Information Regulator** in the following methods:

Physical address: 27 Stiemans Street,
JD House,
Braamfontein,
Johannesburg,
2001.

Email: POPIAComplaints@inforegulator.org.za, if the complaint is POPIA specific.
PAIAComplaints@inforegulator.org.za, if the complaint is PAIA specific.

9. POLICY APPROVAL

- 9.1. This Policy has been approved and adopted by the Executive Committee for the Company.
- 9.2. The Compliance Function will be responsible for the drafting and thereafter, the review of this Policy, along with the Management of the Company.
- 9.3. This Policy will be reviewed annually, however should any inadequacies be identified, or legislative updates/standards published, the Policy will be amended before the aforementioned period, and said amendments will be subject to the Executive Committees approval.