**POLICY STATEMENT AND MANUAL OF:**

**PROTECTION OF PERSONSAL INFORMATION AND THE RETENTION OF DOCUMENTS**

**FOR**

# ROBOTIC INNOVATIONS (PTY) LTD

**(Registration number:** 2004/022942/07)

**(hereinafter referred to as "the COMPANY**")

**Last updated: June 2021**

## I. INTRODUCTION

a. The **COMPANY** functions within the engineering sector and specialises in robotics and automation. The **COMPANY** is obligated to comply with the Protection of Personal Information Act 4 of 2013 ("**POPIA**").

b. POPIA recognises that, in terms of the Constitution of the Republic of South Africa, everyone has the right to privacy. The **COMPANY** respects the privacy of its clients and will take reasonable measures to protect it.

c. POPIA requires the regulation of the processing of personal information by public and private bodies and thus requires the **COMPANY** to inform their clients of the manner in which their personal information is used, disclosed and destroyed. The **COMPANY** guarantees its commitment to protecting its clients' privacy and ensuring that their personal information is used appropriately, transparently and in accordance with applicable laws.

d. The **COMPANY's POPI POLICY** (Part A) sets out the manner in which the **COMPANY** deals with their clients' personal information and stipulates the purpose for which such information is used.

e. The **COMPANY's POLICY ON THE RETENTION & CONFIDENTIALITY OF DOCUMENTS, INFORMATION AND ELECTRONIC TRANSACTIONS** (Part B) is adopted to exercise effective control over the retention of documents and electronic transaction as prescribed by legislation and as dictated by business practice.

**f.** These policies must be read together with the **COMPANY's** document on the **LEGISLATIVE REQUIREMENTS IN RESPECT OF THE RETENTION OF DOCUMENTS.**

II. **DEFINITIONS**

a. **CLIENTS:** means the cliental, shareholders, debtors, creditors, affected personnel and/ or departments related to a service division of the **COMPANY**.

b. **CONFIDENTIAL INFORMATION:** means all information or data disclosed to or obtained by the **COMPANY** by any means whatsoever and shall include, but not be limited to: financial information and records; and all other information including information relating to the structure, operations, processes, intentions, product information, know-how, trade secrets, market opportunities, customers and business affairs but excluding the exceptions allowed by law.

c. **COMPANY:** means **Robotic Innovations (Pty) Ltd** with registration number: 2004/022942/07.

d. **CONSTITUTION:** means the Constitution of the Republic of South Africa, 1996.

e. **DATA:** means electronic representations of information in any form.

| | | |
|---|---|---|
| f. | **DATA SUBJECT** | means the persons whose personal information will be collected, used and stored |
| g. | **DOCUMENTS:** | means books, records, security or accounts and any information that has been stored or recorded electronically, photographically, magnetically, mechanically, electro-mechanically or optically, or in any other form. |
| h. | **ECTA**: | means the Electronic Communications and Transactions Act, 25 of 2002. |
| i. | **ELECTRONIC COMMUNICATION:** | means communication by means of data messages. |
| j. | **ELECTRONIC SIGNATURE:** | means data attached to, incorporated in, or logically associated with other data and which is intended by the user to serve as a signature. |
| k. | **ELECTRONIC TRANSACTIONS:** | includes e-mails sent and received. |
| l. | **PAIA:** | means the Promotion of Access to Information Act, 2 of 2000. |
| m. | **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: |

i. 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;

ii. information relating to the education or the medical, financial, criminal or employment history of the person;

iii. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;

iv. the biometric information of the person;

v. the personal opinions, views or preferences of the person;

vi. 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;

vii. the views or opinions of another individual about the person; and

viii. 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.

n. **POPI:** means Protection of Personal Information.

o. **POPIA:** means the Protection of Personal Information Act, 4 of 2013.

**PART A: PROTECTION OF PERSONAL INFORMATION ("POPI") IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013**

**("POPI POLICY")**

**1. PERSONAL INFORMATION COLLECTED**

**1.1.** In accordance with section 9 of POPIA, "Personal information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive."

**1.2.** The **COMPANY** collects and processes clients' personal information which could include, but is not limited to, the following where appropriate:

**1.2.1.** Client's identity number, name, surname, address, postal code;

**1.2.2.** Description of the clients' residence, business, assets, financial information, banking details, etc;

**1.2.3.** Any other information required by the **COMPANY**, suppliers and insurers in order to provide clients with a relevant service.

**1.3.** The **COMPANY** collects the personal information of data subjects, including but not limited to:

**1.3.1.** Employees;

**1.3.2.** Customers;

**1.3.3.** Suppliers;

**1.3.4.** Directors; and

**1.3.5.** Consultants;

**1.4.** The **COMPANY** retains the data of a data subject for the duration of the **COMPANY's** contract with that data subject.

**1.4.1.** Should a data subject object to the processing of personal information that is not necessary for the proper execution of a contract or that is not required by law, the **COMPANY** will stop processing such data immediately.

**1.4.2.** Withdrawal of consent or objection to processing personal information, if not done at the inception stage of agreements or when the information is obtained, may be done on the form attached hereto as **ANNEXURE A.**

**1.4.3.** Any person may submit a complaint to the Information Regulator alleging interference with the protection of personal information of a data subject. This must be done in the prescribed manner and form, attached hereto as **ANNEXURE B**.

**1.5.** The **COMPANY** also collects and processes the clients' personal information for marketing purposes in order to ensure that our products and services remain relevant to our clients and potential clients.

**1.6.** The **COMPANY** aims to have agreements in place with all product suppliers, insurers and third party service providers to ensure a mutual understanding with regard to the protection of the clients' personal information. The **COMPANY's** suppliers will be subject to the same regulations as applicable to the **COMPANY**.

**1.7.** With clients' consent, the **COMPANY** may also supplement the information provided with information the **COMPANY** receives from other providers to offer a more consistent and personalised experience in the clients' interaction with the **COMPANY**.

**1.8.** For purposes of this POPI Policy, clients include potential and existing clients.

## 2. THE USAGE OF PERSONAL INFORMATION

**2.1.** Clients' Personal Information will only be used for the purpose for which it was collected and as agreed.

**2.2.** This may include, but is not limited to:

**2.2.1.** Providing products or services to clients and to carry out the transactions requested;

**2.2.2.** Confirming, verifying and updating client details;

**2.2.3.** For audit and record keeping purposes;

**2.2.4.** In connection with legal proceedings;

**2.2.5.** Providing communication in respect of the **COMPANY** and regulatory matters that may affect clients; and

**2.2.6.** In connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law.

**2.3.** In accordance with section 10 of POPIA, personal information may only be processed if certain conditions, listed below, are met along with supporting information for the **COMPANY**'s processing of Personal Information:

**2.3.1.** The client consents to the processing which consent is obtained from the client during the introductory, appointment and needs analysis stage of the relationship.

**2.3.2.** The processing is necessary in order to conduct business with the client.

**2.3.3.** Processing complies with an obligation imposed by law on the **COMPANY**.

**2.3.4.** Processing protects a legitimate interest of the client.

**2.3.5.** Processing is necessary for pursuing the legitimate interests of the **COMPANY** or of a third party to whom information is supplied.

**2.4.** Personal information and data retained by the **COMPANY** is kept secured using a password protected digital storage facility.

## 3. DISCLOSURE OF PERSONAL INFORMATION

**3.1.** The **COMPANY** may disclose a client's personal information to any of the **COMPANY's** subsidiaries, joint venture companies and or approved product- or third party service providers whose services or products clients elect to use. The **COMPANY** has agreements in place to ensure compliance with confidentiality and privacy conditions.

**3.2.** The **COMPANY** may also share client personal information with, and obtain information about clients from third parties for the reasons already discussed above.

**3.3.** The **COMPANY** may occasionally transfer data to third parties in foreign countries in Southern Africa.

**3.4.** The **COMPANY** may also disclose a client's information where it has a duty or a right to disclose in terms of applicable legislation, the law, or where it may be deemed necessary to protect the **COMPANY's** rights.

**4.** **SAFEGUARDING CLIENT INFORMATION**

**4.1.** It is a requirement of POPIA to adequately protect personal information. The **COMPANY** will continuously review its security controls and processes to ensure that personal information is secure.

**4.2.** The following procedures are in place to protect personal information:

**4.2.1.** The **COMPANY INFORMATION OFFICER** is **Altus Mostert** whose details are available below and who is responsible for the compliance with the conditions of the lawful processing of personal information and other provisions of POPIA. He is assisted by Chantell du Preez who is the **COMPANY's** Deputy Information Officer.

**4.2.2.** This **POLICY** has been put in place throughout the **COMPANY.** Training on this policy and POPIA has already taken place and will be repeated in regular intervals.

**4.2.2.1.** The **INFORMATION OFFICER**, Deputy Information Officer, existing employees, and new employees will be subject to POPI training.

**4.2.3.** Every new employee will be required to sign an **EMPLOYMENT CONTRACT** containing relevant clauses for the use and storage of employee information, or any other action so required, in terms of POPIA.

**4.2.4.** Each employee currently employed by the **COMPANY** will be required to sign an addendum to their **EMPLOYEE CONTRACTS** containing relevant consent clauses

for the use and storage of employee information, or any other action so required, in terms of POPIA.

**4.2.5.** Client information archived by the **COMPANY** is stored on site which is also governed by POPIA and access to these areas is limited to authorised personnel. Where information is stored off-site, such storage facilities are approved by the **COMPANY.**

**4.2.6.** The **COMPANY's** product suppliers, insurers and other third party service providers will be required to sign a **SERVICE LEVEL AGREEMENT** guaranteeing their commitment to **POPI** which is an ongoing process and will be evaluated as needed.

**4.2.7.** All electronic files or data are backed up by the **COMPANY's** IT division which is also responsible for system security that protects third party access and physical threats.

**4.3.** **CONSENT** to process client information is obtained from clients (or a person who is duly authorised to provide the client's personal information) during the introductory, appointment and needs analysis stage of the relationship.

## 5. ACCESS AND CORRECTION OF PERSONAL INFORMATION

**5.1.** Clients have the right to access the personal information held about them by the **COMPANY.**

**5.1.1.** The data subject will have to provide adequate proof of identity to request the **COMPANY** to determine whether it holds personal information about them and the identity of third parties who have or have had access to the information.

**5.1.2.** This is done by completing the prescribed form in terms of PAIA, attached hereto as **ANNEXURE C** (Request for access to record of a private body) and by paying the prescribed fees in terms of **ANNEXURE D**.

**5.1.3.** If, in response to the above request, personal information is communicated to a data subject, the data subject may request the correction of information in terms of **ANNEXURE E**.

**5.2.** Clients also have the right to ask the **COMPANY** to update, correct or delete their personal information on reasonable grounds.

**5.2.1.** Should a client's personal information change, please inform the **COMPANY** within 7 days to enable the **COMPANY** to update the client's personal information.

**5.3.** Once a client objects to the processing of their personal information, the **COMPANY** may no longer process such personal information and the **COMPANY** will take all reasonable steps to confirm its clients' identity before providing details of their personal information or making changes thereto.

**5.4.** The details of the **COMPANY's INFORMATION OFFICER** and **HEAD OFFICE** are as follows:

**5.4.1.** **INFORMATION OFFICER:**

**5.4.1.1.** NAME AND SURNAME: ALTUS MOSTERT

**5.4.1.2.** TELEPHONE NUMBER: 012 345 4373

**5.4.1.3.** FAX NUMBER: 012 345 4366

**5.4.1.4.** E-MAIL ADDRESS: info@robomail.co.za

**5.4.2.** **DEPUTY INFORMATION OFFICER:**

**5.4.2.1.** NAME AND SURNAME: CHANTELL DU PREEZ

**5.4.2.2.** TELEPHONE NUMBER: 012 345 4373

**5.4.2.3.** FAX NUMBER: 012 345 4366

**5.4.2.4.** E-MAIL ADDRESS: reception@robomail.co.za

**5.4.3.** **HEAD OFFICE:**

**5.4.3.1.** TELEPHONE NUMBER: 012 345 4373

**5.4.3.2.** FAX NUMBER: 012 345 4366

**5.4.3.3.** POSTAL ADDRESS: PO Box 4617, Rietvalleirand, 0174

**5.4.3.4.** PHYSICAL ADDRESS: 67 Sovereign Drive, Route 21 Corporate Park
Irene, Pretoria, 0174

**5.4.3.5.** E-MAIL ADDRESS: info@robomail.co.za

**5.4.3.6.** WEBSITE: www.roboticinnovations.co.za

## 6. AMENDMENTS TO THIS POLICY

**6.1.** Amendments to or a review of this **POLICY** will take place on an *ad hoc* basis or at least once a year. Clients are advised to access the **COMPANY's** website periodically to keep abreast of any changes. Clients will be notified directly of any material changes or such changes will be stipulated on the **COMPANY's** website.

## 7. AVAILABILITY OF THE POLICY

**7.1.** This **POLICY** will be made available on the **COMPANY's** website and at the **COMPANY's** offices.

## 8. RECORDS THAT CANNOT BE FOUND

**8.1.** If the **COMPANY** searches for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation which will set out the steps taken in attempt to locate the record.

**PART B: POLICY ON THE RETENTION AND CONFIDENTIALITY OF DOCUMENTS, INFORMATION AND ELECTRONIC TRANSACTIONS**

"**RETENTION POLICY"**

**1. PURPOSE**

**1.1.** Documents need to be retained to prove the existence of facts and to exercise rights the **COMPANY** may have. Documents are also necessary for defending legal action, for establishing what was said or done in relation to the business of the **COMPANY** and to minimise the **COMPANY's** reputational risks.

**1.2.** To ensure that the **COMPANY's** interests are protected and that the **COMPANY's** and clients' rights to privacy and confidentiality are not breached.

**1.3.** This **RETENTION POLICY** pertains to all documents and electronic transactions generated within and/or received by the **COMPANY**.

**2. ACCESS TO DOCUMENTS**

**2.1.** All **COMPANY** and client information must be dealt with in the strictest confidence and may only be disclosed, without fears of redress, in the following circumstances:

**2.1.1.** Where disclosure is under compulsion of law;

**2.1.2.** Where there is a duty to the public to disclose;

**2.1.3.** Where the interests of the Company require disclosure; and

**2.1.4.** Where disclosure is made with the express or implied consent of the client.

**2.2.** All employees have a duty of confidentiality in relation to the **COMPANY** and clients. In addition to clause 2.1. above, the following are also applicable:

**2.2.1.** Clients' right to confidentiality is protected in the Constitution and in terms of the Electronic Communications and Transactions Act No 25 of 2002 ("ECTA").

Information may be given to a third party if the client has consented in writing to that person receiving the information.

**2.2.2.** Requests for **COMPANY INFORMATION** are dealt with in terms of the Promotion of Access to Information Act No 2 of 2000 ("PAIA"), which gives effect to the constitutional right of access to information held by the State or any natural/juristic person that is required for the exercise or protection of rights. Private bodies, like the **COMPANY**, must however refuse access to records if disclosure would constitute an action for breach of the duty of secrecy owed to a third party.

**2.2.2.1.** Requests must be made in writing on the form prescribed in PAIA to the **INFORMATION OFFICER** in terms of PAIA. The requesting party has to state the reason for wanting the information and has to pay a prescribed fee. The prescribed form is attached hereto as **ANNEXURE C** and the prescribed fees in terms of PAIA are attached as **ANNEXURE D**.

**2.2.3.** Confidential **COMPANY** and/or business information may not be disclosed to third parties as this could constitute industrial espionage. The affairs of the **COMPANY** must be kept strictly confidential at all times.

**2.3.** The **COMPANY** views any contravention of this **POLICY** very seriously and employees who are guilty of contravening the **POLICY** will be subject to disciplinary procedures, which may lead to the dismissal of any guilty party.

## 3. STORAGE OF DOCUMENTS

**3.1.** The **COMPANY** shall comply with all legislative requirements in respect of the retention and storage of information in hard copy or electronic format.

**3.2.** The **COMPANY's** internal procedure requires the electronic storage of information with indexing, storage and retrieval arranged between IT and the departments concerned.

**3.3.** Electronically stored data is safeguarded with the use of a digital cloud-based storage facility that is password protected.

**3.3.1.** Safeguards are in place against risks related to:

**3.3.1.1.** Loss of data;

**3.3.1.2.** Unauthorised access or theft of data;

**3.3.1.3.** Unauthorised sharing of data; and,

**3.3.1.4.** Inaccurate or outdated data.

**3.4.** The following safeguards are implemented:

**3.4.1.** Antivirus;

**3.4.2.** Firewalls;

**3.4.3.** Access controls; and,

**3.4.4.** Remote destruction.

**3.5.** Data subjects will be notified as soon as possible if there are reasonable grounds to believe that their personal information has been accessed or acquired by an unauthorised person.

**3.5.1.** Personal information must not be retained any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed, unless:

**3.5.1.1.** Retention of the record is required or authorised by law;

**3.5.1.2.** The responsible party reasonably requires the record for the lawful purposes related to its functions or activities;

**3.5.1.3.** Retention of the record is required by a contract between the parties thereto; or

**3.5.1.4.** The data subject or a competent person where the data subject is a child has consented to the retention of the record.

**3.5.2.** All personal information that has become obsolete must be destroyed.

**3.5.3.** Due to the administrative difficulties of managing different retention periods, the **COMPANY's** policy is to retain all information for a maximum of **7 YEARS** after the conclusion of the agreement, contract or service for which it was obtained.

**3.5.3.1.** This will allow the **COMPANY** to comply with all legislative requirements of retention.

**3.5.3.2.** Should a data subject not consent to this, the retention period will default back to the prescribed period as per legislation.

**3.5.3.3.** These data subjects will be flagged to ensure that their records are destroyed after the retention period.

**3.5.3.4.** All other personal data will be destroyed after the **7 YEAR** retention period.

## 4. DESTRUCTION OF DOCUMENTS

**4.1.** Documents may be destroyed after the termination of the retention period relevant to the documents. Where a department is requested to attend to the destruction of their documents, such requests shall be attended to as soon as possible.

**4.2.** Every department is responsible for attending to the destruction of its documents, which must be done on a regular basis.

**4.2.1.** Files will be checked in order to make sure that they may be destroyed and also to ascertain if there are important original documents in the file.

**4.2.2.** Original documents will be returned to the holder thereof, failing which, they should be retained by the **COMPANY** pending such return.

**4.3.** After the completion of the sorting process contemplated in 5.2. above, the General Manager of the department shall, in writing, authorise the removal and destruction of the documents in the authorisation document. Such records will be retained by the **COMPANY**.

**4.4.** The documents are then made available for collection by the removers of the **COMPANY's** documents who will ensure that such documents are shredded

before disposed to further ensure the confidentiality of information, if not destroyed by the COMPANY itself by shredding the documents and disposing thereof, ensuring confidentiality.

**4.5.** Documents may also be stored off-site, in storage facilities approved by the **COMPANY**.