

POLICY IN TERMS OF
THE PROTECTION OF PERSONAL INFORMATION ACT
(POPIA)

MED PAK CC

REGISTRATION NUMBER: 2003/085061/23

INFORMATION OFFICER: KYLE MICHAEL EVANS

PROTECTION OF PERSONAL INFORMATION POLICY

1. INTRODUCTION

The right to privacy is an integral human right recognised and protected in the South African Constitution and in the Protection of Personal Information Act 4 of 2013 ("POPIA").

POPIA aims to promote the protection of privacy through providing guiding principles that are intended to be applied to the processing of Personal Information.

Through the provision of advice and professional services, MED PAK CC is necessarily involved in the collection, use and disclosure of certain aspects of the Personal Information of clients, employees, owners, directors, shareholders, trustees, beneficiaries, owners, tenants, service providers and other stakeholders (where applicable).

A person's right to privacy entails having control over his or her Personal Information and being able to conduct his or her affairs relatively free from unwanted intrusions.

Given the importance of privacy, MED PAK CC is committed to effectively managing Personal Information in accordance with POPIA's provisions.

2. DEFINITIONS

2.1. Personal Information

Personal Information is any information that can be used to reveal a person's identity. Personal Information relates to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person (such as a company or Trust), including, but not limited to information concerning:

- race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person;
- banking details
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- 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;
- the views or opinions of another individual about the person;
- 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.

2.2. Data Subject (referred to as the “Data Subject”)

This refers to the natural or juristic person to whom Personal Information relates, such as but not limited to, an individual or a company, a supplier of products, goods or services, an owner or tenant, employee, client, director, trustee or shareholder of a Company.

2.3. Responsible Party (MED PAK CC)

The 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, MED PAK CC is the responsible party.

2.4. Information Officer

The Information Officer is responsible for ensuring MED PAK CC’s compliance with POPIA.

Once appointed, the Information Officer must be registered with the South African Information Regulator established under POPIA prior to performing his or her duties. Deputy Information Officers can also be appointed to assist the Information Officer.

2.5. Processing

The act of processing information includes any activity or any set of operations, whether or not by automatic means, concerning Personal Information and includes:

- the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- dissemination by means of transmission, distribution or making available in any other form; or
- merging, linking, as well as any restriction, degradation, erasure or destruction of information.

2.6. Consent

Means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information.

3. POLICY PURPOSE

This purpose of this policy is to protect MED PAK CC from the compliance risks associated with the protection of Personal Information which includes:

- Breaches of confidentiality. For instance, MED PAK CC could suffer loss in revenue where it is found that the Personal Information of Data Subjects has been shared or disclosed inappropriately.
- Failing to offer choice. For instance, all Data Subjects should be free to choose how and for what purpose MED PAK CC uses information relating to them.
- Reputational damage. For instance, MED PAK CC could suffer a decline in value following an adverse event such as a computer hacker deleting the Personal Information held by MED PAK CC.

This policy demonstrates MED PAK CC's commitment to protecting the privacy rights of Data Subjects in the following manner:

- Through stating desired behaviour and directing compliance with the provisions of POPIA and best practice.
- By cultivating a culture that recognises privacy as a valuable human right.
- By developing and implementing internal controls for the purpose of managing the compliance risk associated with the protection of Personal Information.
- By creating business practices that will provide reasonable assurance that the rights of Data Subjects are protected and balanced with the legitimate business needs of MED PAK CC.
- By assigning specific duties and responsibilities, including the appointment of an Information Officer and where necessary, Deputy Information Officers in order to protect the interests of MED PAK CC and Data Subjects.
- By raising awareness through training and providing guidance to individuals who process Personal Information so that they can act confidently and consistently.

4. POLICY APPLICATION

This policy and its guiding principles apply to:

- All branches, business units and divisions of MED PAK CC;
- All owners, directors and/or employees of MED PAK CC
- All sub-contractors or consultants of MED PAK CC

The policy's guiding principles find application in all situations and must be read in conjunction with POPIA as well as MED PAK CC's PAIA Policy as required by the Promotion of Access to Information Act (Act No 2 of 2000).

The legal duty to comply with POPIA's provisions is activated in any situation where there is a processing of Personal Information entered into a record by or for a responsible person who is domiciled in South Africa.

POPIA does not apply in situations where the processing of Personal Information:

- is concluded in the course of purely personal or household activities, or
- where the Personal Information has been de-identified.

4.1. Collection of Personal Information

MED PAK CC collects and processes Data Subjects Personal Information in the ordinary course and scope of its business. The type of Personal Information collected is dependent on the need for which it is collected, and the information will be processed for that purpose only. Whenever possible, the Data Subject will be informed as to what Personal Information is required and what information is optional.

MED PAK CC also collects and processes Data Subjects Personal Information for marketing purposes to ensure that its products and services remain relevant to our Data Subjects and potential Data Subjects.

MED PAK CC aims to have agreements in place with all third-party service providers to ensure a mutual understanding with regard to the protection of its Data Subjects Personal Information.

With the Data Subjects consent, MED PAK CC may also supplement the information provided by the Data Subject with information received from other providers, in order to offer the Data Subject a more comprehensive experience in their interaction with us. For purposes of this Policy, Data Subjects include potential and existing Data Subjects.

4.2. The use of Personal Information

The Data Subjects Personal Information will only be used for the purpose for which it was collected and as agreed. This may include:

- Providing products or services to Data Subjects and to carry out the transactions or mandate requested;
- Confirming, verifying, and updating the Data Subjects details;
- For the detection and prevention of fraud, crime, money laundering or other malpractices;
- For audit and record keeping purposes;
- Providing services to Data Subjects, to render the services requested and to maintain and constantly improve the relationship with the Data Subject;
- Providing communication in respect of MED PAK CC and/or regulatory matters that may affect Data Subjects; and
- In connection with and to comply with legal and regulatory requirements, or when otherwise allowed by law.

According to the Act, the following conditions must be met for MED PAK CC to process the Data Subjects Personal Information:

- The Data Subjects consent must be obtained;
- The processing of information is necessary for the conclusion or performance of a contract;
- The processing of information is necessary for MED PAK CC to comply with an obligation imposed by law;
- The processing of information protects a legitimate interest of the Data Subject;
- The processing of information is necessary for pursuing the legitimate interests of MED PAK CC or of a third party to whom information is supplied.

4.3. Disclosure of Personal Information

MED PAK CC may disclose the Data Subjects Personal Information to an approved service provider, whose services or products, Data Subjects elect to use.

MED PAK CC may also disclose the Data Subjects information where it has a duty or a right to disclose in terms of applicable legislation or where it may be deemed necessary in order to protect MED PAK CC's rights.

4.4. Storage of Documents

It is the responsibility of MED PAK CC to ensure that records of Personal Information are not retained any longer than is necessary for achieving the purpose for which the information was collected.

MED PAK CC will no longer be authorised to retain information if:

- The information is no longer necessary for the purpose for which it was obtained;
- The Data Subject has withdrawn their consent for the processing of their information.
- The Data Subject has validly objected to the processing of the information; or
- The Data Subject has made a valid request for the deletion of their Personal Information.

However, we may retain your information for as long as we are required to comply with legal or regulatory requirements or to protect our legal interests. This may mean that your information is retained for longer than the minimum time set out by the law.

5. RIGHTS OF DATA SUBJECTS

Where appropriate, MED PAK CC will ensure that the Data Subjects are made aware of the rights conferred upon them as Data Subjects.

MED PAK CC will ensure that it gives effect to the following six rights.

5.1. The Right to Access Personal Information

MED PAK CC recognises that a Data Subject has the right to establish whether MED PAK CC holds Personal Information related to them, including the right to request access to that Personal Information.

An example of a “Personal Information Request Form” can be found under **Annexure A**.

5.2. The Right to have Personal Information Corrected or Deleted

The Data Subject has the right to request, where necessary, that their Personal Information must be corrected or deleted where MED PAK CC is no longer authorised to retain the Personal Information.

5.3. The Right to Object to the Processing of Personal Information

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

In such circumstances, MED PAK CC will give due consideration to the request and the requirements of POPIA. MED PAK CC may cease to use or disclose the Data Subjects Personal Information and may, subject to any statutory and contractual record keeping requirements, also approve the destruction of the Personal Information.

5.4. The Right to Object to Direct Marketing

The Data Subject has the right to object to the processing of their Personal Information for purposes of direct marketing by means of unsolicited electronic communications.

5.5. The Right to Complain to the Information Regulator

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.

An example of a “POPI Complaint Form” can be found under **Annexure B**.

5.6. The Right to be Informed

The Data Subject has the right to be notified that their Personal Information is being collected by MED PAK CC. The Data Subject also has the right to be notified in any situation where MED PAK CC has reasonable grounds to believe that the Personal Information of the Data Subject has been accessed or acquired by an unauthorised person.

6. GENERAL GUIDING PRINCIPLES

All employees and persons acting on behalf of MED PAK CC, will at all times be subject to, and act, in accordance with the following guiding principles:

6.1. Accountability

Failing to comply with POPIA could potentially damage MED PAK CC's reputation or expose MED PAK CC to a civil claim for damages. The protection of Personal Information is therefore everybody's responsibility.

MED PAK CC will ensure that the provisions of POPIA and the guiding principles outlined in this policy are complied with, through the encouragement of desired behaviour. However, MED PAK CC will take appropriate sanctions, which may include disciplinary action, against those individuals who through their intentional or negligent actions and/or omissions fail to comply with the principles and responsibilities outlined in this policy.

6.2. Processing Limitation

MED PAK CC will ensure that Personal Information under its control is processed:

- in a fair, lawful and non-excessive manner, and
- only with the informed consent of the Data Subject, and
- only for a specifically defined purpose.

MED PAK CC will inform the Data Subject of the reasons for collecting Personal Information and obtain written consent prior to processing Personal Information. Alternatively, where services or transactions are concluded over the telephone or electronic video feed, MED PAK CC will maintain a voice recording of the stated purpose for collecting the Personal Information followed by the Data Subjects subsequent consent.

MED PAK CC will under no circumstances distribute or share Personal Information between separate legal entities or with any individuals that are not directly involved with facilitating the purpose for which the information was originally collected.

Where applicable, the Data Subject must be informed of the possibility that their Personal Information will be shared with other aspects of MED PAK CC's business and be provided with the reasons for doing so.

An example of a "POPI Consent Form" can be found under **Annexure C**.

6.3. Purpose Specification

MED PAK CC will process Personal Information only for specific, explicitly defined and legitimate reasons. MED PAK CC will inform Data Subjects of these reasons prior to collecting or recording the Data Subjects Personal Information.

6.4. Further Processing Limitation

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

Therefore, where MED PAK CC seeks to process Personal Information, it holds for a purpose other than the original purpose for which it was originally collected, and where this secondary purpose is not compatible with the original purpose, MED PAK CC will first obtain additional consent from the Data Subject.

6.5. Information Quality

MED PAK CC will take reasonable steps to ensure that all Personal Information collected is complete, accurate and not misleading.

The more important it is that the Personal Information be accurate the greater the effort MED PAK CC will put into ensuring its accuracy.

Where Personal Information is collected or received from third parties, MED PAK CC will take reasonable steps to confirm that the information is correct by verifying the accuracy of the information directly with the Data Subject or by way of independent sources.

6.6. Open Communication

MED PAK CC will take reasonable steps to ensure that Data Subjects are at all times aware that their Personal Information is being collected including the purpose for which it is being collected and processed.

6.7. Security Safeguards

MED PAK CC will manage the security of its filing system to ensure that Personal Information is adequately protected. To this end, security controls will be implemented in order to minimise the risk of loss, unauthorised access, disclosure, interference, modification or destruction.

Security measures also need to be applied in a context-sensitive manner. For example, the more sensitive the Personal Information, such as credit card details, the greater the security required.

MED PAK CC will continuously review its security controls which will include regular testing of protocols and measures put in place to combat cyber-attacks on MED PAK CC's IT network.

MED PAK CC will ensure that all paper and electronic records comprising Personal Information are securely stored and made accessible only to authorised individuals.

All new employees will be required to sign employment contracts containing contractual terms for the use and storage of employee information. Confidentiality clauses will also be included to reduce the risk of unauthorised disclosures of Personal Information for which MED PAK CC is responsible.

All existing employees will, after the required consultation process has been followed, be required to sign an addendum to their employment containing the relevant consent and confidentiality clauses.

MED PAK CC's operators and third-party service providers will be required to enter into service level agreements with MED PAK CC where both parties pledge their mutual commitment to POPIA and the lawful processing of any Personal Information pursuant to the agreement.

An example of "Employee Consent and Confidentiality Clause" for inclusion in MED PAK CC's employment contracts can be found under **Annexure D**.

An example of an "SLA Confidentiality Clause" for inclusion in MED PAK CC's service level agreements can be found under **Annexure E**.

6.8. Data Subject Participation

A Data Subject may request the correction or deletion of his, her or its Personal Information held by MED PAK CC.

MED PAK CC will ensure that it provides a facility for Data Subjects who want to request the correction or deletion of their Personal Information. Where applicable, MED PAK CC will include a link to unsubscribe from any of its electronic newsletters or related marketing activities.

7. INFORMATION OFFICERS

MED PAK CC will appoint an Information Officer and where necessary, a Deputy Information Officer to assist the Information Officer. MED PAK CC's Information Officer is responsible for ensuring compliance with POPIA. Once appointed, MED PAK CC will register the Information Officer with the South African Information Regulator established under POPIA prior to performing his or her duties.

8. SPECIFIC DUTIES AND RESPONSIBILITIES

8.1. Information Officer

MED PAK CC's Information Officer is responsible for:

- Taking steps to ensure MED PAK CC's reasonable compliance with the provision of POPIA.
- Keeping the management team updated about MED PAK CC's information protection responsibilities under POPIA. For instance, in the case of a security breach, the Information Officer must inform and advise the management team of their obligations pursuant to POPIA.
- Continually analysing privacy regulations and aligning them with MED PAK CC's Personal Information processing procedures. This will include reviewing MED PAK CC's information protection procedures and related policies.
- Ensuring that POPI Audits are scheduled and conducted on a regular basis.
- Ensuring that MED PAK CC makes it convenient for Data Subjects who want to update their Personal Information or submit POPI related complaints to MED PAK CC.
- Approving any contracts entered into with employees and other third parties which may have an impact on the Personal Information held by MED PAK CC. This will include overseeing the amendment of MED PAK CC's employment contracts and other service level agreements.
- Encouraging compliance with the conditions required for the lawful processing of Personal Information.

- Ensuring that employees and other persons acting on behalf of MED PAK CC are fully aware of the risks associated with the processing of Personal Information and that they remain informed about MED PAK CC's security controls.
- Organising and overseeing the awareness training of employees and other individuals involved in the processing of Personal Information on behalf of MED PAK CC.
- Addressing employees' POPIA related questions.
- Addressing all POPIA related requests and complaints made by MED PAK CC's Data Subjects.
- Working with the Information Regulator in relation to any ongoing investigations. The Information Officers will therefore act as the contact point for the Information Regulator authority on issues relating to the processing of Personal Information and will consult with the Information Regulator where appropriate, with regard to any other matter.

The Deputy Information Officer will assist the Information Officer in performing his or her duties.

8.2. IT Manager

MED PAK CC's IT Manager is responsible for:

- Ensuring that MED PAK CC's IT infrastructure, filing systems and any other devices used for processing Personal Information meet acceptable security standards.
- Ensuring that all electronically held Personal Information is kept only on designated drives and servers and uploaded only to approved cloud computing services.
- Ensuring that servers containing Personal Information are sited in a secure location, away from the general office space. Ensuring that all electronically stored Personal Information is backed-up and tested on a regular basis.
- Ensuring that all back-ups containing Personal Information are protected from unauthorised access, accidental deletion and malicious shacking attempts.
- Ensuring that Personal Information being transferred electronically is encrypted.
- Ensuring that all servers and computers containing Personal Information are protected by a firewall and the latest security software.
- Performing regular IT audits to ensure that the security of MED PAK CC's hardware and software systems are functioning properly.
- Performing regular IT audits to verify whether electronically stored Personal Information has been accessed or acquired by any unauthorised persons.
- Performing a proper due diligence review prior to contracting with operators or any other third-party service providers to process Personal Information on MED PAK CC's behalf. For instance, cloud computing services.

8.3. Marketing and Communication Manager

MED PAK CC's Marketing & Communication Manager is responsible for:

- Approving and maintaining the protection of Personal Information statements and disclaimers that are displayed on MED PAK CC's website, including those attached to communications such as emails and electronic newsletters.
- Addressing any Personal Information protection queries from journalists or media outlets such as newspapers.
- Where necessary, working with persons acting on behalf of MED PAK CC to ensure that any outsourced marketing initiatives comply with POPIA.

8.4. Employees and other Persons acting on behalf of MED PAK CC

Employees and other persons acting on behalf of MED PAK CC will, during the course of the performance of their services, gain access to and become acquainted with the Personal Information of certain Data Subjects.

Employees and other persons acting on behalf of MED PAK CC are required to treat Personal Information as a confidential business asset and to respect the privacy of Data Subjects.

Employees and other persons acting on behalf of MED PAK CC may not directly or indirectly, utilise, disclose or make public in any manner to any person or third party, either within MED PAK CC or externally, any Personal Information, unless such information is already publicly known, or the disclosure is necessary in order for the employee or person to perform his or her duties.

Employees and other persons acting on behalf of MED PAK CC must request assistance from the Information Officer if they are unsure about any aspect related to the protection of a Data Subjects Personal Information.

Employees and other persons acting on behalf of MED PAK CC will only process Personal Information where:

- The Data Subject, or a competent person where the Data Subject is a child, consents to the processing; or
- The processing is necessary to carry out actions for the conclusion or performance of a contract to which the Data Subject is a party; or
- The processing complies with an obligation imposed by law on the responsible party; or
- The processing protects a legitimate interest of the Data Subject; or
- The processing is necessary for pursuing the legitimate interests of MED PAK CC or of a third party to whom the information is supplied.

Furthermore, Personal Information will only be processed where the Data Subject:

- Clearly understands why and for what purpose his, her or its Personal Information is being collected; and
- Has granted MED PAK CC with explicit written or verbally recorded consent to process his, her or its Personal Information.

Employees and other persons acting on behalf of MED PAK CC will consequently, prior to processing any Personal Information, obtain a specific and informed expression of will from the Data Subject, in terms of which permission is given for the processing of Personal Information.

Informed consent is therefore when the Data Subject clearly understands for what purpose his, her or its Personal Information is needed and who it will be shared with.

Consent can be obtained in written form which includes any appropriate electronic medium that is accurately and readily reducible to printed form.

Consent to process a Data Subjects Personal Information will be obtained directly from the Data Subject, except where:

- the Personal Information has been made public, or where valid consent has been given to a third party, or

- the information is necessary for effective law enforcement.

Employees and other persons acting on behalf of MED PAK CC will under no circumstances:

- Process or have access to Personal Information where such processing or access is not a requirement to perform their respective work-related tasks or duties.
- Save copies of Personal Information directly to their own private computers, laptops or other mobile devices like tablets or smart phones. All Personal Information must be accessed and updated from MED PAK CC's central database or a dedicated server.

Employees and other persons acting on behalf of MED PAK CC are responsible for:

- Keeping all Personal Information that they come into contact with secure, by taking sensible precautions and following the guidelines outlined within this policy.
- Ensuring that Personal Information is held in as few places as is necessary. No unnecessary additional records or filing systems therefore be created.
- Ensuring that all computers, laptops and devices such as tablets, flash drives and smartphones that store Personal Information are password protected and never left unattended. Passwords must be changed regularly and may not be shared with unauthorised persons.
- Ensuring that their computer screens and other devices are switched off or locked when not in use or when away from their desks.
- Ensuring that where Personal Information is stored on removable storage medias such as external drives, CDs or DVDs that these are kept locked away securely when not being used.
- Ensuring that where Personal Information is stored on paper, that such hard copy records are kept in a secure place where unauthorised people cannot access it.
- Ensuring that where Personal Information has been printed out, that the paper printouts are not left unattended where unauthorised individuals could see or copy them.
- Taking reasonable steps to ensure that Personal Information is kept accurate and up to date. For instance, confirming a Data Subjects contact details when the Data Subject phones or communicates via email.
- Taking reasonable steps to ensure that Personal Information is stored only for as long as it is needed or required in terms of the purpose for which it was originally collected. Where Personal Information is no longer required, authorisation must first be obtained from the relevant line manager or the Information Officer to delete or dispose of the Personal Information in the appropriate manner.
- Undergoing POPI Awareness training from time to time.

Where an employee, or a person acting on behalf of MED PAK CC, becomes aware or suspicious of any security breach such as the unauthorised access, interference, modification, destruction or the unsanctioned disclosure of Personal Information, he or she must immediately report this event or suspicion to the Information Officer or the Deputy Information Officer.

9. POPI AUDIT

MED PAK CC's Information Officer will schedule periodic POPI Audits.

The purpose of a POPI audit is to:

- Identify the processes used to collect, record, store, disseminate and destroy Personal Information.

- Determine the flow of Personal Information throughout MED PAK CC. For instance, MED PAK CC's various business units, divisions and branches if applicable.
- Redefine the purpose for gathering and processing Personal Information. Ensure that the processing parameters are still adequately limited.
- Ensure that new Data Subjects are made aware of the processing of their Personal Information.
- Re-establish the rationale for any further processing where information is received via a third party.
- Verify the quality and security of Personal Information.
- Monitor the extent of compliance with POPIA and this policy.
- Monitor the effectiveness of internal controls established to manage MED PAK CC's POPI related compliance risk.

10. REQUEST TO ACCESS PERSONAL INFORMATION PROCEDURE

Data Subjects have the right to:

- Request what Personal Information MED PAK CC holds about them and why.
- Request access to their Personal Information.
- Be informed how to keep their Personal Information up to date.

Access to information requests can be made by email, addressed to the Information Officer. The Information Officer will provide the Data Subject with a "Personal Information Request Form".

Once the completed form has been received, the Information Officer will verify the identity of the Data Subject prior to handing over any Personal Information. All requests will be processed and considered against MED PAK CC's PAIA Policy.

The Information Officer will process all requests within a reasonable time.

11. POPIA COMPLAINTS PROCEDURE

Data Subjects have the right to complain in instances where any of their rights under POPIA have been infringed upon. MED PAK CC takes all complaints very seriously and will address all POPI related complaints in accordance with the following procedure:

- POPI complaints must be submitted to MED PAK CC in writing. Where so required, the Information Officer will provide the Data Subject with a "POPI Complaint Form".
- Where the complaint has been received by any person other than the Information Officer, that person will ensure that the full details of the complaint reach the Information Officer within 1 working day.
- The Information Officer will provide the complainant with a written acknowledgement of receipt of the complaint within 2 working days.
- The Information Officer will carefully consider the complaint and address the complainant's concerns in an amicable manner. In considering the complaint, the Information Officer will endeavour to resolve the complaint in a fair manner and in accordance with the principles outlined in POPIA.
- The Information Officer must also determine whether the complaint relates to an error or breach of confidentiality that has occurred and which may have a wider impact on MED PAK CC's Data Subjects.
- Where the Information Officer has reason to believe that the Personal Information of Data Subjects has been accessed or acquired by an unauthorised person, the Information Officer will consult with MED PAK CC's management team where after the affected Data Subjects and the Information Regulator will be informed of this breach.

- The Information Officer will revert to the complainant with a proposed solution with the option of escalating the complaint to MED PAK CC's management team within 7 working days of receipt of the complaint. In all instances, MED PAK CC will provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines.

The Information Officer's response to the Data Subject may comprise any of the following:

- A suggested remedy for the complaint,
- A dismissal of the complaint and the reasons as to why it was dismissed,
- An apology (if applicable) and any disciplinary action that has been taken against any employees involved.

Where the Data Subject is not satisfied with the Information Officer's suggested remedies, the Data Subject has the right to complain to the Information Regulator.

The Information Officer will review the complaints process to assess the effectiveness of the procedure on a periodic basis and to improve the procedure where it is found wanting. The reason for any complaints will also be reviewed to ensure the avoidance of occurrences giving rise to POPI related complaints.

12. DISCIPLINARY ACTION

Where a POPI complaint or a POPI infringement investigation has been finalised, MED PAK CC may recommend any appropriate administrative, legal and/or disciplinary action to be taken against any employee reasonably suspected of being implicated in any non-compliant activity outlined within this policy.

In the case of ignorance or minor negligence, MED PAK CC will undertake to provide further awareness training to the employee.

Any gross negligence or the wilful mismanagement of Personal Information will be considered a serious form of misconduct for which MED PAK CC may summarily dismiss the employee. Disciplinary procedures will commence where there is sufficient evidence to support an employee's gross negligence.

Examples of immediate actions that may be taken subsequent to an investigation include:

- A recommendation to commence with disciplinary action.
- A referral to appropriate law enforcement agencies for criminal investigation.
- Recovery of funds and assets in order to limit any prejudice or damages caused.

*** REFER TO THE NEXT PAGE FOR THE ANNEXURES**

ANNEXURE A: PERSONAL INFORMATION REQUEST FORM

PERSONAL INFORMATION REQUEST FORM

Please submit the completed form to the Information Officer:	
Name	
Contact Number	
Email Address	

Please be aware that we may require you to provide proof of identification prior to processing your request. There may also be a reasonable charge for providing copies of the information requested.

A. Particulars of Data Subject	
Name and Surname	
Identity Number	
Postal Address	
Contact Number	
Email Address	

B. Request	
I request MED PAK CC to	
a. Inform me whether it holds any of my Personal Information	
b. Provide me with a record or description of my Personal Information	
c. Correct or update my Personal Information	
d. Destroy or delete a record of my Personal Information	

C. Instructions	

Signature
Date

ANNEXURE B: POPIA COMPLAINT FORM

POPIA COMPLAINT FORM

We are committed to safeguarding your privacy and the confidentiality of your Personal Information and are bound by the Protection of Personal Information Act.

Please submit the completed form to the Information Officer:	
Name	
Contact Number	
Email Address	

Where we are unable to resolve your complaint, to your satisfaction you have the right to complaint to the Information Regulator.

The Information Regulator: Ms Mmamoroke Mphelo

Physical Address: SALU Building, 316 Thabo Sehume Street, Pretoria

Email: inforreg@justice.gov.za

Website: <http://www.justice.gov.za/inforeg/index.html>

A. Particulars of Complainant	
Name and Surname	
Identity Number	
Postal Address	
Contact Number	
Email Address	

B. Details of Complaint

C. Desired Outcome

Signature
Date

ANNEXURE C: POPIA CONSENT

POPIA CONSENT

We understand that your Personal Information is important to you and that you may be apprehensive about disclosing it. Your privacy is just as important to us, and we are committed to safeguarding and processing your information in a lawful manner.

We also want to make sure that you understand how and for what purpose we process your information. If for any reason you think that your information is not processed in a correct manner, or that your information is being used for a purpose other than that for what it was originally intended, you can contact our Information Officer.

You can request access to the information we hold about you at any time and if you think that we have outdated information, please request us to update or correct it.

Our Information Officer's Contact Details	
Name	
Contact Number	
Email Address	

Purpose for Processing your Information

We collect, retain, use and disclose your Personal Information mainly to provide you with access to the services and products that we provide. We will only process your information for a purpose you would reasonably expect, including:

- Providing you with advice, products and services that suit your needs as requested.
- To verify your identity.
- To notify you of new products or developments that may be of interest to you.
- To confirm, verify and update your details.
- To comply with any legal and regulatory requirements.

Some of your information that we hold may include, your first and last name, email address, a home, postal or other physical address, other contact information, your title, birth date, gender, occupation, qualifications, past employment, residency status, your investments, assets, liabilities, income, expenditure and your banking details.

Consent to Disclose and Share your Information

We may need to share your information to provide advice, reports, analyses, products or services that you have requested. Where we share your information, we will take all precautions to ensure that the third party will treat your information with the same level of protection as required by us. Your information may be hosted on servers managed by a third-party service provider, which may be located outside of South Africa.

I hereby authorise and consent to the organisation sharing my Personal Information	
Name	
Signature	
Date	

ANNEXURE D: EMPLOYEE CONSENT AND CONFIDENTIALITY CLAUSE

EMPLOYEE CONSENT AND CONFIDENTIALITY CLAUSE

- Personal Information” (PI) shall mean the race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person; information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person; the personal opinions, views or preferences of the person; 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; the views or opinions of another individual about the person whether the information is recorded electronically or otherwise.
- “POPIA” shall mean the Protection of Personal Information Act 4 of 2013 as amended from time to time.
- The employer undertakes to process the PI of the employee only in accordance with the conditions of lawful processing as set out in terms of POPIA and in terms of the employer’s relevant policy available to the employee on request and only to the extent that it is necessary to discharge its obligations and to perform its functions as an employer and within the framework of the employment relationship and as required by South African law.
- The employee acknowledges that the collection of his/her PI is both necessary and requisite as a legal obligation, which falls within the scope of execution of the legal functions and obligations of the employer. The employee therefore irrevocably and unconditionally agrees:
 - That he/she is notified of the purpose and reason for the collection and processing of his or her PI insofar as it relates to the employer's discharge of its obligations and to perform its functions as an employer.
 - That he/she consents and authorises the employer to undertake the collection, processing and further processing of the employee's PI by the employer for the purposes of securing and further facilitating the employee's employment with the employer.
 - Without derogating from the generality of the afore-stated, the employee consents to the employer's collection and processing of PI pursuant to any of the employer's Internet, Email and Interception policies in place insofar as PI of the employee is contained in relevant electronic communications.
 - To make available to the employer all necessary PI required by the employer for the purpose of securing and further facilitating the employee's employment with the employer.
 - To absolve the employer from any liability in terms of POPIA for failing to obtain the employee's consent or to notify the employee of the reason for the processing of any of the employee’s PI.
 - To the disclosure of his/her PI by the employer to any third party, where the employer has a legal or contractual duty to disclose such PI.
 - The employee further agrees to the disclosure of his/her PI for any reason enabling the employer to carry out or to comply with any business obligation the employer may have or to pursue a legitimate interest of the employer in order for the employer to perform its business on a day-to-day basis.
 - The employee authorises the employer to transfer his/her PI outside of the Republic of South Africa for any legitimate business purpose of the employer within the international community. The employer undertakes not to transfer or disclose his/her PI unless it is required for its

legitimate business requirements and shall comply strictly with legislative stipulations in this regard.

- The employee acknowledges that during the course of the performance of his/her services, he/she may gain access to and become acquainted with the Personal Information of certain Data Subjects, suppliers and other employees. The employee will treat Personal Information as a confidential business asset and agrees to respect the privacy of Data Subjects, suppliers and other employees.
- To the extent that he/she is exposed to or insofar as PI of other employees or third parties are disclosed to him/her, the employee hereby agree to be bound by appropriate and legally binding confidentiality and non-usage obligations in relation to the PI of third parties or employees.
- Employees may not directly or indirectly, utilise, disclose or make public in any manner to any person or third party, either within the company or externally, any Personal Information, unless such information is already publicly known, or the disclosure is necessary in order for the employee or person to perform his or her duties on behalf of the employer.

Disclosure and Consent

By your signature herewith below, you confirm that you consent to the disclosure of your Personal Information and that you will take the necessary precautions to ensure that MED PAK CC “Personal Information”, including the information of our clients, is afforded the highest level of protection and dealt with, with the utmost confidentiality.

Personal Name:	
I.D. Number:	
Signature:	
Date:	

ANNEXURE E: SERVICE LEVEL AGREEMENT CONFIDENTIALITY CLAUSE

SERVICE LEVEL AGREEMENT CONFIDENTIALITY CLAUSE

- “Personal Information” (PI) shall mean, (but is not limited to) the race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person; information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person; the personal opinions, views or preferences of the person; 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; the views or opinions of another individual about the person whether the information is recorded electronically or otherwise.
- “POPIA” shall mean the Protection of Personal Information Act 4 of 2013 as amended from time to time.
- The parties acknowledge that for the purposes of this agreement that the parties may come into contact with or have access to PI and other information that may be classified or deemed as private or confidential and for which the other party is responsible. Such PI may also be deemed or considered as private and confidential as it relates to any third party who may be directly or indirectly associated with this agreement. Further, it is acknowledged and agreed by the parties that they have the necessary consent to share or disclose the PI and that the information may have value.
- The companies agree that they will at all times comply with POPIA’s Regulations and Codes of Conduct and that it shall only collect, use and process PI it comes into contact with pursuant to this agreement in a lawful manner, and only to the extent required to execute the services, or to provide the goods and to perform their respective obligations in terms of this agreement.
- The parties agree that it shall put in place, and at all times maintain, appropriate physical, technological and contractual security measures to ensure the protection and confidentiality of PI that it, or its employees, its contractors or other authorised individuals comes into contact with pursuant to this agreement.
- Unless so required by law, the parties agree that it shall not disclose any PI as defined in POPIA to any third party without the prior written consent of the other party, and notwithstanding anything to the contrary contained herein, shall any party in no manner whatsoever transfer any PI out of the Republic of South Africa.

Consent to Disclose and Share Information

By your signature herewith below, you confirm that you will take the necessary precautions to ensure that the “Personal Information” of MED PAK CC, including the information of our “data subjects”, are afforded the highest level of protection and dealt with, with the utmost confidentiality.

Personal Name:	
Company Name:	
Registration Number:	
Signature:	
Date:	