

## **SYREX DATA PROTECTION POLICY**

Syrex (Pty) Ltd (“Syrex”) is committed to conducting business in line with applicable laws and the highest ethical standard. This Data Protection Policy (“Policy”) was developed and implemented by Syrex to ensure a lawful, transparent and consistent approach to the processing of your personal information.

Syrex reserves the right to amend the terms and conditions of this Policy at any time without notice. It is your duty to remain apprised of the current version of these terms and conditions.

The definitions set out in the Protection of Personal Information Act 4 of 2013 (“POPI”) shall apply to this Policy.

### **1. INTRODUCTION**

- 1.1. Inherent in the provision of a wide range of IT services, Syrex continually has access to and needs to process Personal Information relating to individuals and legal entities, which processing may take place in South Africa and, where necessary, abroad.
- 1.2. This Policy seeks to ensure that Syrex complies with the legal parameters set out in POPI together with international legal standards and best practices for processing Personal Information. In doing so, Syrex:
  - 1.2.1. protects the privacy rights of all Data Subjects with whom it engages;
  - 1.2.2. is transparent in relation to the processing of Personal Information; and
  - 1.2.3. Mitigates the risks of data breaches, unlawful access to personal data or any other form of security compromise.

### **2. APPLICATION**

- 2.1. This Policy applies to the website (www.syrex.com “the Website”) users and Syrex’s subscribers, client, prospective clients, past clients, suppliers, service providers, contractors, agents, directors, shareholders and employees or any other person who engages with Syrex (“You”).
- 2.2. It shall apply from the moment that Personal Information is collected by Syrex until the moment that the Personal Information is deleted or destroyed.
- 2.3. Compliance with this Policy by all persons as described in clause 2.1 above is mandatory.

### **3. DATA PROTECTION PRINCIPLES**

- 3.1. POPI sets out core principles that must be observed and complied with at all times from the moment that Personal Information is collected by Syrex, until the moment that the personal information is archived, deleted or destroyed.

3.2. Syrex promotes and complies with the following 8 principles:

**A. Principle 1: Accountability**

Syrex has appointed an Information Officer who is responsible for ensuring that the information protection principles within POPI and the controls that are in place to enforce them are complied with.

**B. Principle 2: Processing Limitation**

Syrex implements a strict context for processing Personal Information. It is minimal and proportionate to its purpose for which the Personal Information was collected. Syrex adheres to a strict protocol of processing Personal Information to ensure that the processing is lawful at all times.

**C. Principle 3: Purpose Specification**

Syrex only collects Personal Information for a lawful and necessary purposes such as: (i) the delivery of services, (ii) maintaining its internal administrative processes, including quality, risk and management processes which includes verifying financial and other Personal Information and conducting all such investigations as may be required in law including but not limited to investigations to determine, verify or monitor your identity/ownership and control structure (as may be applicable), bank account details, risk profile and source of funds and (iii) for internal and external business related purposes and statistical or research purposes

**D. Principle 4: Further processing limitation**

Syrex does not further process Personal Information unless such processing is compatible with the purpose for which the information was collected in principle 3 or the Data Subject has consented further processing.

**E. Principle 5: Information Quality**

Syrex takes reasonable practical steps to ensure that the Personal Information that has been collected is complete, accurate, not misleading and up to date, where necessary. It is however your responsibility to ensure that the Personal Information that you provided Syrex with is accurate, complete and up-to-date. Should Personal Information change it is your responsibility to notify Syrex of the change and provide Syrex with accurate data.

**F. Principle 6: Openness**

Syrex is transparent about how it processes Personal Information and has put in place practicable steps to promote your rights in this regard as further described in clause 12 hereunder.

**G. Principle 7: Security Safeguards**

Syrex ensures that the integrity of the Personal Information in its control is secured through technical and organisational measures. Syrex has established a Data Protection Policy which is available on the Website and shall be deemed to be an integral part of this Policy.

## H. Principle 8: Data Subject Participation

You have the right to request whether your Personal Information is held, as well as the correction and/or deletion of any Personal Information held about you at Syrex. You may find a Personal Information Request Form on the Website for any such queries.

### 4. SYREX AS A RESPONSIBLE PARTY

- 4.1. POPI stipulates that every public and private body is responsible for the processing of Personal Information in their possession or under their control. It is therefore important to establish when does Syrex have “control” over the Personal Information. The decisive factor is the degree of control that Syrex exercises over the processing operations. Syrex, as a Responsible Party, is liable solely for Personal Information under its control and determines the purpose of and means of processing the Personal Information.
- 4.2. Syrex secures the integrity and confidentiality of Personal Information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent—
  - 4.2.1. loss of, damage to or unauthorised destruction of personal information; and
  - 4.2.2. unlawful access to or processing of personal information.
- 4.3. In order to give effect to clause 4.2, Syrex takes reasonable measures to—
  - 4.3.1. identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;
  - 4.3.2. establish and maintain appropriate safeguards against the risks identified;
  - 4.3.3. regularly verify that the safeguards are effectively implemented; and
  - 4.3.4. ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

### 5. CATEGORIES OF PERSONAL INFORMATION PROCESSED BY SYREX

- 5.1. Syrex may process the following categories of Personal Information about You:
  - 5.1.1. personal details: names, video photage and photographs;
  - 5.1.2. demographic information: gender, date of birth, nationality, title;
  - 5.1.3. identifier information: passport or national identity number, company registration number; VAT number;
  - 5.1.4. contact details: physical address; telephone number; email address;
  - 5.1.5. attendance records: details of meetings and other events organised by or on behalf of Syrex that you have attended, including COVID-19 visitors questionnaire;
  - 5.1.6. consent records: records of any consents you may have given, together with the date and time, means of consent and any related information;
  - 5.1.7. telephone records: some telephone calls may be recorded unless specifically requested not to;

5.1.8. payment details: billing address; payment method; bank account number or credit card number; invoice records; payment records.

5.2. Syrex requires Personal Information to be provided during the following instances:

5.2.1. New Services

- a. Company name
- b. Physical and postal address
- c. Contact numbers
- d. Name and email address for Technical Contact, Account Contact and Business Contact
- e. Telephone calls are recorded.

Syrex may use the above information to inform you of our products and services available.

5.2.2. Proposals

- a. Company name
- b. Physical and postal address
- c. Contact numbers
- d. Name and email address for Technical Contact, Account Contact and Business Contact
- e. Telephone calls are recorded.

Syrex may use the above information when engaging with you to define new solutions for your business or to plan your technological road map for future development.

5.2.3. Contracts and Schedules

- a. Company name
- b. Registration number
- c. VAT number
- d. Physical and postal address
- e. Contact numbers
- f. Name and email address for Technical Contact, Account Contact and Business Contact
- g. Name and email address, direct / mobile number for key contacts at the site(s)
- h. Banking Details
- i. Financial health checks

Syrex may use the above information during debtor management processes, sending of invoices, credit notes and statements, as well during financial audits undertaken by Syrex.

5.2.4. Service initiation and implementation

- a. Company name
- b. Physical and postal address
- c. Contact numbers

- d. Name and email address, direct / mobile number for key contacts
- e. Telephone calls are recorded.

Syrex will use this information during service provisioning, as well as to send out service handover confirmations.

#### 5.2.5. Incident Management and Service Requests

- a. Company name
- b. Physical and postal address
- c. Contact numbers
- d. Name and email address, direct / mobile number for key contacts
- e. Telephone calls are recorded.

Syrex will use this information to engage with the key contacts on problems, incidents, changes and consulting, as well as send out maintenance notifications and RFOs.

#### 5.2.6. Realignment and termination of services

- a. Company name
- b. Physical and postal address
- c. Contact numbers
- d. Name and email address, direct / mobile number for key contacts
- e. Telephone calls are recorded.

Syrex will use this information during service realignment and cancellations, as well as to send out service change confirmations.

## **6. PURPOSES FOR WHICH SYREX PROCESSES PERSONAL INFORMATION**

6.1. Syrex processes Personal Information in the ordinary course of the business of IT related services and will only process Personal Information lawfully in terms of this Policy. Syrex uses Personal Information collected from its Data Subjects to do the following which is not an exhaustive list: Syrex may process your Personal Information for the following purposes:

- 6.1.1. compile and present a proposal;
- 6.1.2. register a new client, vendor, supplier, agent, reseller etc.;
- 6.1.3. process orders;
- 6.1.4. conduct credit checks;
- 6.1.5. making payments or recover money owed;
- 6.1.6. fulfil contractual obligations and deliver services;
- 6.1.7. notify of changes or updates etc.;
- 6.1.8. administer and protect Syrex's business;
- 6.1.9. safeguard network and infrastructure security;
- 6.1.10. communication, development and improvement of services;
- 6.1.11. transfer of information to service providers and other third parties pursuant to service contracts or business-related requirements; or

6.1.12. recruitment and/or human resources.

6.2. In addition to the above, Syrex may process Personal Information for:

6.2.1. relationship management purposes in relation to its services (including, but not limited to, processing that is necessary for the development and improvement of our IT and related services), for accounts management, and for marketing activities in order to establish, maintain and/or improve our relationship with; and

6.2.2. internal management and management reporting purposes, including but not limited to: conducting internal audits, conducting internal investigations, implementing internal business controls, providing central processing facilities and for insurance purposes;

6.2.3. compliance with applicable laws, court order and fraud prevention; and

6.2.4. safety and security purposes and/or to protect your interest.

## **7. DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES**

7.1. Syrex does share information with third parties where necessary to perform certain functions to provide services and during normal business operation. Syrex does outsource business functions to third parties. Syrex will only disclose Personal Information for legitimate business purposes in accordance with applicable laws and confidentiality purposes.

7.2. In addition, may disclose Personal Information to third parties in the following circumstances:

7.2.1. for the purposes of reporting any actual or suspected breach of applicable law or regulation;

7.2.2. where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defence of legal rights;

7.2.3. to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security; and

7.2.4. to any relevant third-party acquirer(s), in the event of a sale or transfer all or any portion of its business or assets (including, but not limited to, in the event of a reorganization, dissolution or liquidation).

7.3. Where Syrex uses third party suppliers, known as an Operators, to the extent required by law, Operators are bound by contractual obligations to:

7.3.1. only process such personal information strictly in accordance with Syrex's prior written instructions;

7.3.2. use appropriate measures to protect the confidentiality and security of such personal information;

7.3.3.establish and maintain the security measures as set out in clause 4.2 above;

7.3.4.where an operator is located in a foreign country, it is subject to binding corporate rules and agreements which provide an adequate level of protection which may be less stringent than POPI.

7.4. Syrex provides the following information to its Operators:

7.4.1.Microsoft (Licensing, Office 365 & Azure)

- a. Company name
- b. Registration number
- c. Company Physical address
- d. Company Contact numbers

7.4.2.Connectivity

- a. Company name
- b. Company Physical address
- c. Company Contact numbers
- d. Name and email address, direct / mobile number for key contacts

7.4.3.Firewalls

- a. Company name
- b. Company Physical address
- c. Company Contact numbers
- d. Number of users

7.4.4.Telephony (Bria / Teams)

- a. Company name
- b. Company Physical address
- c. Company Contact numbers
- d. Usernames, email address and extension numbers

7.4.5.Hosted Services

- a. Company name
- b. Company Physical address
- c. Company Contact numbers
- d. Name and email address, direct / mobile number for key contacts

7.4.6.Data Centres

- a. Company name
- b. Company Physical address

- c. Company Contact numbers
- d. Name, ID number and email address, direct / mobile number for direct access

#### 7.4.7. Domains

- a. Company name
- b. Company Registration number
- c. Company Physical address
- d. Company Contact numbers
- e. Name and email address, direct / mobile number for key contacts

#### 7.4.8. Debtor Management and Legal

- a. Company name
- b. Registration number
- c. VAT number
- d. Physical and postal address
- e. Contact numbers
- f. Name and email address for Technical Contact, Account Contact and Business Contact
- g. Name and email address, direct / mobile number for key contacts at the site(s)
- h. Banking Details
- i. Financial health checks
- j. Call recordings and service tickets

### **8. TRANSFER ACROSS BORDERS**

- 8.1. Syrex may transmit or transfer Personal Information outside the Republic of South Africa ("RSA") to a foreign country and process it in that country. Personal Information may be stored on servers outside RSA in a country which may not have the same level of data protection. Whilst Syrex will request the other party to adhere to Syrex's privacy principles, your consent to Syrex processing your Personal Information in a foreign country whose data protection laws may be less.

### **9. DATA RETENTION**

- 9.1. Syrex keeps records of personal information for no longer than 5 years after the purpose for which the Personal Information was collected is complete unless required otherwise by law or necessary for any legal, regulatory, tax, accounting or reporting requirement. The Personal Information is thereafter destroyed, deleted or de-identified as soon as reasonably practical.



## **10. SECURITY SAFEGUARDS**

- 10.1. Syrex has implemented physical, electronic, and managerial security safeguards to protect Personal Information that it processes, including but not limited to:
  - 10.1.1. Personal Information is stored in limited access servers;
  - 10.1.2. Where appropriate, Syrex uses industry standard encryption;
  - 10.1.3. Physical and network security measures;
  - 10.1.4. Network security measures;
  - 10.1.5. Disaster recovery procedures;
  - 10.1.6. Encryption methods;
  - 10.1.7. Audits for identifying vulnerabilities and attacks; and
  - 10.1.8. Regular staff training.
  
- 10.2. Whilst Syrex takes all reasonable measures to keep Personal Information secure, Syrex takes not responsibility or liability of any nature whatsoever for the interception or loss of Personal Information beyond Syrex's control.

## **11. INFORMATION OFFICER**

- 11.1. Syrex has appointed Barbara Watson as the Information Officer.
  
- 11.2. The Information Officer shall:
  - 11.2.1. ensure that all operational and technological data protection standards are complied with;
  - 11.2.2. advise of any risk of breach at the earliest opportunity with a view to avoiding any further risk or breach, or limiting any damage resulting from it;
  
- 11.3. arrange data protection training and provide advice and guidance to all employees;
- 11.4. initiate disciplinary proceedings against any employee who at any time breaches any technological and/or organisational and/or operational data protection standard, rule, custom, instruction, policy, practice and/or protocol applicable in any department or area of the operations of Syrex;
  
- 11.5. review and approve any contracts or agreements with third parties to the extent that they may handle or process data subject information;
  
- 11.6. attend to requests from individuals to access personal information Syrex holds about them.

## 12. YOUR CONSENT AND UNDERTAKING

12.1. By engaging with Syrex in anyway and by furnishing Syrex with Personal Information, you consent to Syrex processing your Personal Information in accordance with the terms of this Policy.

12.2. You further consent that Syrex may transfer your Personal Information cross border for legitimate business purposes and/or to protect your best interest.

12.3. Explicit or implied consent is not required where the processing of Personal Information:

12.3.1. is necessary to carry out actions for the conclusion or performance of a contract to which the data subject of the personal information is a party;

12.3.2. is required in order to comply with an obligation imposed by law;

12.3.3. is for a legitimate purpose or is necessary to protect the legitimate interest and/or for pursuing the legitimate interests of i) data subject; ii) the person processing the personal information; or iii) that of a third party to whom the personal information is supplied; or

12.3.4. is necessary for the proper performance of a public law duty by a public body or on behalf of a public body.

3.1 The Personal Information provided to Syrex must be accurate, complete and up-to-date. You undertake to notify Syrex of any change of information to ensure completeness and accuracy of the Personal Information processed by Syrex.

## 13. YOUR RIGHTS

13.1. You have the right to:

13.1.1. withdraw consent: You understand that Syrex may still be authorised to process the Personal Information in accordance with clause 12.3 above. You further understand and accept that by withdrawing consent Syrex may longer be able to deliver services, Syrex shall not be liable for any loss or damages attributable to such withdrawal.

13.1.2. be informed: You may request a copy of the Personal Information that Syrex holds about you. Please complete the Personal Information Request form on the Website;

13.2. To log a complaint: Should you believe that Syrex has acted contrarily to this Policy or any applicable privacy, you undertake to first attempt to resolve any concerns with Syrex. A POPI Complaint Form is available on the Website. Should the complaint not be resolved to your satisfaction you may refer to the Information Regulator at [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za) .

#### **14. DATE OF PUBLISHING**

Last Updated 27 July 2021

If you have any queries about this Privacy Policy please contact our Information Officer at [bw@syrex.com](mailto:bw@syrex.com).