



THE STANDARD TRANSFER SPECIFICATION ASSOCIATION NPC

REGISTRATION NUMBER: 1995/008496/08

(“STSA” or “the Company”)

POPIA PRIVACY POLICY

prepared and established in accordance with
the Protection of Personal Information Act 4 of 2013 (“POPIA”)

2nd Edition

1. Definitions

- 1.1. "Business" means the objects and activities of the Company, including membership administration, licensing administration relating to the Standard Transfer Specification (STS), governance, finance, stakeholder engagement, events, and associated operations;
- 1.2. "Direct Marketing" has the meaning in section 69 of POPIA;
- 1.3. "Information" means "personal information" as defined in section 1 of POPIA, including, where applicable, and personal information of juristic persons; and special personal information' as referred to in sections 26 to 33 of POPIA;
- 1.4. "Information Officer" means the person identified in clause 13, appointed and registered in terms of sections 55 and 56 of POPIA;
- 1.5. "Information Regulator" means the information regulator as that term is defined in Section 39 of POPIA;
- 1.6. "Operator" means a Person who Processes Information on behalf of the Company in terms of a contract or mandate, without coming under the direct authority of the Company, as contemplated in section 20 of POPIA;
- 1.7. "Person" means a person defined in POPIA, and "Persons" will have a corresponding meaning;
- 1.7.1. "Data Subject" means the person to whom the information relates, as defined in POPIA; and
- 1.7.2. "Responsible Party" means STSA, being the public or private body which, alone or in conjunction with others, determines the purpose of and means for Processing Information;
- 1.8. "Policy" means this policy and any amendments made to it from time to time;
- 1.9. "POPIA" means the Protection of Personal Information Act No. 4 of 2013;
- 1.10. "Process" and "Processing" have the meanings given in section 1 of POPIA and include, without limitation, the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, use, dissemination, distribution, merging, linking, restriction, degradation, erasure or destruction of Information;
- 1.11. "Stakeholder" means any Person whose Information the Company Processes, and this may include Information pertaining to the Company's employees, candidates for employment, customers, suppliers, officers, business associates, shareholders, directors, clients and the like;
- 1.12. "the Company" or "STSA" means The Standard Transfer Specification Association NPC, registration number 1995/008496/08.

2. Background to POPIA

- 2.1. POPIA is South Africa's primary data protection law.
- 2.2. The purpose of POPIA is to promote the protection of Information that is Processed by any Person, by prescribing certain minimum requirements for the Processing of Information.
- 2.3. These minimum requirements must be met in order for a Person to Process Information and include those requirements set forth in clause 4 of this Policy, which mirrors Chapter 3 of POPIA.
- 2.4. It is the policy of the Company that it will comply with the minimum requirements set forth in clause 4 of this Policy at all times.

3. Purpose of this Policy

- 3.1. From time to time in pursuing its objectives and activities, the Company will come into possession of and will concomitantly Process the Information of its Stakeholders.
- 3.2. The purpose of this Policy is to record how the Company will Process the Information of its Stakeholders and how Data Subjects are informed of those purposes in terms of section 18 of POPIA and, in doing so, comply with the minimum requirements set forth in clause 4 of this Policy.

4. Minimum Requirements for Processing Information

- 4.1. The Company, as Responsible Party, ensures compliance with POPIA's conditions.
- 4.2. Information will be Processed lawfully and reasonably; collected for a specific, explicitly defined and lawful purpose related to a function or activity of the Company; and limited to what is adequate, relevant and not excessive. Processing will occur on one or more of the grounds in section 11 of POPIA, including consent; conclusion or performance of a contract; compliance with law; protecting a legitimate interest of the Data Subject; or pursuing the legitimate interests of the Company or a third party to whom the Information is supplied.
- 4.3. Information will be collected for the stated purpose and retained only as long as necessary or as required by law.
- 4.4. Further Processing will be compatible with the purpose of collection.
- 4.5. The Company will take reasonably practicable steps to ensure Information is complete, accurate, not misleading and updated where necessary.
- 4.6. Documentation of Processing operations will be maintained and Data Subjects will be notified, where required, of the prescribed section 18 information.
- 4.7. The Company implements appropriate, reasonable technical and organisational measures, regulates Operators by contract, and will notify security compromises to the Regulator and affected Data Subjects.
- 4.8. Data Subjects may request access to, and correction or deletion of, their Information, and object to Processing in terms of POPIA and PAIA.
- 4.9. The Company will not Process special personal information or personal information of children unless an authorisation or exemption in sections 26 to 35 of POPIA applies.

5. Purpose of Processing Information

- 5.1. The Company will only Process Information for a specific, explicitly defined and lawful purpose related to a function or activity carried out by it.
- 5.2. The Company Processes Information for membership and licensing administration, governance and board administration, finance and billing, procurement and supplier management, event management, stakeholder engagement and communications, security and access control, legal compliance and dispute resolution.
- 5.3. The Company will ensure that it only Processes the Information of its Stakeholders for the specific purpose referred to in clause 5.2 of this Policy and will take reasonable steps to ensure that its Stakeholders are aware of that purpose.
- 5.4. Where section 18 of POPIA requires it, the Company will provide the prescribed notice to Data Subjects when collecting Information.
- 5.5. Where the Company engages in Direct Marketing by electronic communications, it will do so only in accordance with section 69 of POPIA, including obtaining prior consent in the prescribed manner, or relying on the limited customer exception, and always providing an opt-out facility.

6. Source of Information

- 6.1. The Company will only Process Information that it receives directly from a Stakeholder, save where:
 - 6.1.1. the Information is public record or has deliberately been made public by the Stakeholder;
 - 6.1.2. the Stakeholder has consented to the collection by the Company of the Information from another source;

- 6.1.3. the collection of Information from a source other than the Stakeholder would not prejudice a legitimate interest of the Stakeholder, is required by law; is necessary to protect a legitimate interest of the Company or the Data Subject; or is required for legal proceedings, as contemplated in section 12(2) of POPIA;
- 6.1.4. it is not reasonably practicable in the circumstances of the particular case to collect the Information directly from a Stakeholder, or to do so would prejudice a lawful purpose of the collection, or
- 6.1.5. it has received the consent of a Stakeholder to Process Information about that Stakeholder that it receives from another source,
in which event it may Process Information about a Stakeholder that it receives from another source.

7. Awareness and Consent

- 7.1. The Company is required to ensure that its Stakeholders are aware of the purpose for which their Information is being Processed, the manner in which it will be Processed and their rights in respect thereof. the Company will do this by:
 - 7.1.1. publishing a copy of this Policy on its website at <https://www.sts.org.za>
 - 7.1.2. making a copy of this Policy available for inspection at its principal place of business at:
Barkers Attorneys
Ridge 6
20 Ncondo Place
Umhlanga Ridge
KwaZulu-Natal
4319
 - 7.1.3. using bona fide endeavours to communicate the existence of this Policy to those of its Stakeholders whose Information the Company has where required by section 18 of POPIA;
 - 7.1.4. referring to this Policy in its recruitment and/or job advertisements;
 - 7.1.5. incorporating this Policy by reference into, inter alia, the following documents:
 - 7.1.5.1. employment agreements;
 - 7.1.5.2. terms of engagement; and
 - 7.1.5.3. any other contracts or agreements that the Company may enter into with its Stakeholders.
- 7.2. The Company will, where it is necessary or appropriate to do so, obtain the written consent of its Stakeholders to Process their Information in accordance with POPIA, inter alia, by:
 - 7.2.1. requesting its Stakeholders to consent to the Processing by the Company of their Information;
 - 7.2.2. requiring applicable Stakeholders to sign the applicable documents contemplated in clause 7.1.5.
- 7.3. The Company will catalogue and store the record of consents that it obtains from its Stakeholders.

8. Retention and Safeguarding of Information

- 8.1. The Company is required to store, retain and secure the integrity and confidentiality of its Stakeholders' Information by taking appropriate, reasonable technical and organisational measures to prevent the loss, damage or unauthorised destruction of their Information and to prevent any person from unlawfully accessing their Information.
- 8.2. The Company will accordingly secure the integrity and confidentiality of its Stakeholders' Information, inter alia, by ensuring that:
 - 8.2.1. Information that is in printed form is dealt with only by those representatives of the Company who need to deal with that Information;
 - 8.2.2. Information that is in printed form is stored in a secure cabinet or facility when it is not being Processed;

- 8.2.3. all employees and officers of the Company who have access to or Process Information keep their workstations tidy and free of Information which is not then being Processed to ensure that any Information that is visible at workstations, and is not being Processed, is not disseminated other than in accordance with the provisions of this Policy;
- 8.2.4. all Information in electronic form is stored in a database that is protected from unauthorised access by appropriate hardware and software, and governed by access controls and encryption where appropriate;
- 8.2.5. any hardware on which Information is stored is secure and password protected;
- 8.2.6. employees and officers of the Company will ensure that Information is not displayed upon their computer hardware when they are not themselves Processing that Information on such hardware;
- 8.2.7. where any device on which Information is stored is lost or stolen, the Information Officer is immediately notified and will use reasonable endeavours to attempt to recover and/or delete any Information stored upon that device.
- 8.3. The Company reviews retention periods periodically and retains records only for as long as necessary for lawful purposes or as required by law, after which records are securely destroyed or de-identified.
- 8.4. If there are reasonable grounds to believe that a security compromise has occurred in relation to Information under the Company's control, the Information Officer will, as soon as reasonably possible, notify the Information Regulator and the affected Data Subjects, describing the nature of the compromise, the measures taken or proposed, and the steps Data Subjects should take, using any of the methods permitted by section 22(4) of POPIA.

9. Disclosure of Information

- 9.1. The Company acknowledges that rights in and to Information vest in the Data Subject, subject to lawful Processing and will make no claim to ownership thereof, unless a Stakeholder agrees otherwise.
- 9.2. The Company will only disclose its Stakeholders' Information to those of its employees and officers who need to know for the purpose described in clause 5 above and will not disclose Information to any third party unless the consent of the applicable Stakeholder to do so has been obtained.
- 9.3. Notwithstanding the provisions of clause 9.2 of this Policy, the Company may disclose its Stakeholders' Information without first obtaining consent:
 - 9.3.1. if the Company deems it appropriate to disclose that Information to an Operator for the purpose in clause 5 of this Policy; and/or
 - 9.3.2. if the Company is required by any applicable law or any applicable regulator to disclose that Information.
- 9.4. The Company will not transfer Information to a third party in a foreign country unless adequate protection is in place; or the Data Subject consents; or the transfer is necessary for the performance or conclusion of a contract with the Data Subject or in the Data Subject's interest; or the transfer benefits the Data Subject and consent cannot be obtained, but would likely be given if requested.

10. Information Quality

- 10.1. The Company is required to take reasonably practicable steps to ensure that the Information of its Stakeholders that it Processes is complete, accurate, not misleading and updated where necessary, in accordance with section 16 of POPIA.
- 10.2. The Company will accordingly ask its Stakeholders to verify the completeness and accuracy of the Information provided by them from time to time.

11. Unsolicited Information

If the Company receives Information gratuitously or which is not required for the purposes stated in clause 5, it will secure such Information and delete or destroy it as soon as practicable, unless retention is required by law.

12. Stakeholder Participation and rights in and to its information

- 12.1. Each Stakeholder, after having provided adequate proof of identity to the Company, has the right to:
- 12.1.1. request that the Company confirms, free of charge, whether or not it holds Information about that Stakeholder;
 - 12.1.2. request the record of or a description of the Information that the Company holds about that Stakeholder;
 - 12.1.3. request that the Company correct or delete any Information in its possession or under its control about the Stakeholder that is inaccurate, irrelevant, excessive, out of date, incomplete or misleading, or destroy or delete a record of any Information about it that the Company is no longer authorised to retain;
 - 12.1.4. object at any time, on reasonable grounds, to the Processing of their Information;
 - 12.1.5. withdraw its consent for the Company to Process its Information at any time, but the withdrawal of consent will not affect:
 - 12.1.5.1. the Processing of its Information before the withdrawal of consent; and
 - 12.1.5.2. the Processing of any of its Information that is required by the Company to comply with law and/or finalise the performance of any agreement that it has entered into with the Stakeholder concerned.
 - 12.2. Should any Stakeholder wish to exercise any of the rights referred to above, it can do so by contacting the Information Officer who can be contacted in the manner described in clause 13 of this Policy, and the Information Officer will give effect to the Stakeholder's request or withdrawal.

13. Information Officer

- 13.1. The Company will appoint an Information Officer.
- 13.2. The name and contact details of the Information Officer at the date of adoption of this Policy are:

Information Officer	Riccardo Pucci
Email address of Information Officer	info@sts.org.za / riccardo@sts.org.za

- 13.3. The Information Officer's duties include those in section 55(1) of POPIA, namely, to encourage compliance, deal with requests made in terms of PAIA, work with the Information Regulator in relation to investigations, and otherwise ensure compliance by the Company with POPIA. The Information Officer will ensure that any Deputy Information Officer(s) are registered with the Information Regulator.
- 13.4. The Information Officer will receive appropriate training and will address any reasonable queries or concerns that any Stakeholders may have regarding this Policy or the Processing of their Information as contemplated in it.

14. Information Regulator

In the event that a Stakeholder has any queries or concerns that cannot be addressed by the Information Officer, the Stakeholder has the right to contact the Information Regulator. The Information Regulator's details are as follows:

Information Regulator (South Africa)

Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg, 2191

Telephone: 010 023 5200 | Toll-free: 0800 017 160

Email (general): enquiries@inforegulator.org.za

Website: <https://inforegulator.org.za>

15. Status of Policy

This Policy has been adopted by and will apply to the Company.

16. Amendments

The Company may amend this Policy from time to time. The Company will use reasonable endeavours not to change this Policy too often, and to bring to its Stakeholders' attention any material changes to it, but its Stakeholders will be required to ensure that they keep up to date with the latest version of the Policy that is available on the Company's website and at the Company's principal place of business.