



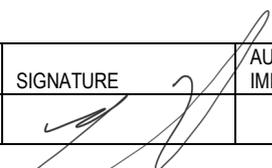
**enX**  
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enX Group Ltd

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ISSUE DATE: 30 June 2021	REVISION DATE: 30 June 2022	DOCUMENT NO: POPI/FORM 4

**PRECEDENTS**

**GDPR AND POPIA POLICY**

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**ENX GROUP LIMITED LTD**

(Registration number: 2001/029771/06)

including all enX subsidiary companies and affiliates,  
as listed under **Annexure "A"**.

(hereinafter referred to as "enX")

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**1. STATEMENT FROM THE ENX BOARD OF DIRECTORS**

- 1.1 ENX has a long and proud tradition of conducting business with the highest level of integrity, in accordance with the highest ethical standards and in full compliance with all applicable laws, including the law known as the Protection of Personal Information Act, 4 of 2013, (POPIA), which regulates the Processing of Personal Information.
- 1.2 The Protection of Personal Information Policy has been developed at the direction of ENX Board of Directors in order to provide clear guidance to all directors, employees and those who Process Personal Information on behalf of ENX on how they are to Process Personal Information, thereby ensuring that all Personal Information Processed by ENX is done in a lawful, transparent and consistent manner and in full compliance with all and any applicable data protection laws which may from time to time apply to its operations, including POPIA and the General Data Protection Regulation 2016/679 (GDPR) applicable in the EU (hereinafter referred collectively as the “Data protection laws”).
- 1.3 ENX has adopted a zero-tolerance stance in relation to any non-compliance with its policies, including this Policy and any violation of this Policy will result in swift corrective action, including possible termination of employment, and criminal and civil action.

**2. ABOUT THE DATA PRIVACY LAWS**

2.1 GDPR – UK AND EU

2.1.2 The General Data Protection Regulation (“GDPR”) governs the Processing of personal data belonging to individuals. The regulation was put into effect on May 25, 2018. The GDPR applies to any person or entity who Processes the personal data of EU citizens or residents, or who offer goods or services to EU citizens or residents regardless of whether the entity is situated in the EU.

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2.2 POPIA - SA

2.2.1 The Protection of Personal Information Act, 4 of 2013 (POPIA), came into operation on 1 July 2020.

2.2.2 POPIA governs the Processing of Personal Information with the central aim of upholding a person’s right to privacy as provided for in the South African Constitution. POPIA achieves this by placing obligations on persons who request, collect, store, process and otherwise use Personal Information relating to another person, in order to protect such person from suffering potential damage or harm. More importantly POPIA seeks to achieve this by introducing penalties which will cater for instances of a breach of privacy of a person’s Personal Information.

**3. PERSONAL INFORMATION PROCESSING PRICIPLES AND CONDITIONS**

3.1 The GDPR and POPIA embrace and adopt a core set of universal Processing principles, (known as conditions under POPIA) which have to be met by any person who Processes another’s Personal Information, which principles have informed ENX’S approach to Processing Personal Information.

3.2 These principles are as follows:

3.2.1 Lawfulness, fairness and transparency

Personal Information must be Processed lawfully, fairly and in a transparent manner.

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### 3.2.2 Purpose limitation

Personal Information must be collected for specified, explicit and legitimate purposes and not further Processed in a manner that is incompatible with those purposes.

### 3.2.3 Data minimisation

The Processing of Personal Information must be limited to what is needed for the purpose, and to this end must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is Processed.

### 3.2.4 Accuracy

Personal Information Processed must be accurate and, where necessary, kept up to date; and every reasonable step must be taken to ensure that inaccurate Personal Information, having regard to the purposes for which it is Processed, is erased or rectified without delay.

### 3.2.5 Storage limitation

Personal Information must be kept for no longer than is necessary for the purposes for which the Personal Information was Processed and may not be stored for longer periods unless there are reasons for such longer storage.

### 3.2.6 Integrity and confidentiality and security

Personal Information must be Processed in a manner that ensures appropriate security of the Personal Information, including protection against unauthorised or unlawful Processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures. Furthermore, Personal Information shall not be transferred to another country unless the person transferring the Personal Information ensures that the Data Subject is provided with the same rights and level of protection in

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relation to the Processing of its Personal Information in the receiving country as provided for and received under POPIA or the GDPR.

### 3.2.7 Accountability

The person who is Processing the Personal Information, known as the Responsible Party, (POPIA) or Controller (GDPR) is responsible for compliance with the Data Processing laws and the principles and conditions for Processing, and such Responsible Party or Controller must be able to demonstrate compliance with the Data Processing laws including POPIA or the GDPR and these principles.

## 4. NON COMPLIANCE PENALTIES

- 4.1 Failure to comply with the Data Processing laws may have severe consequences for ENX, including criminal sanctions, civil claims, damages and potential administrative fines of up to R10 000 000 (ten million rand) in the case of Processing activities in South Africa, and up to €20 million (twenty million euro) or 4% of total worldwide annual turnover, whichever is higher, in the case of Processing activities in the EU.
- 4.2 In light of these high penalties, any violation or breach of this Policy will result in swift corrective action, including, possible termination of employment, and criminal and civil action.

## 5. INFORMATION PROCESSING TERMS AND DEFINITIONS

- 5.1 POPIA and the GDPR, where applicable, make use of certain terms and references, known as definitions.
- 5.2 This Policy will make use of some of these definitions, which are explained below.
  - 5.2.1 **“Consent”** means in relation to POPIA, any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which they, by a statement or by a clear positive action, signify agreement to the Processing of Personal Information about them;

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- 5.2.2 **Explicit Consent** means in relation to the GDPR, a higher standard of Consent that requires a very clear and specific statement rather than an action which is suggestive of Consent.
- 5.2.3 **“Data Privacy laws”** means, for the purposes of this Policy, the European Union’s General Data Protection Regulation (“GDPR”) which applies in the EU, and the Protection of Personal Information Act, 4 of 2013 (POPIA) which applies in South Africa.
- 5.2.4 **“Data Subject”** means, in relation to POPIA, any individual or legal entity, and means in relation to the GDPR, an individual. (Note - the GDPR does not apply to legal entities.)
- 5.2.5 **“Information Officer (IO)”** means in relation to POPIA, a person who has been appointed as the organization’s Information Officer, being the organization’s main representative on data protection and Processing matters, and Data Protection Officer (DPO) (GDPR) means in relation to the GDPR, a person who has been appointed as the organization’s Data Protection Officer, being the organization’s main representative on data protection and Processing matters.
- 5.2.6 **“Operator”** means, in relation to POPIA, any person who Processes Personal Information on behalf of a Responsible Party as a contractor or sub-contractor, in terms of a contract or mandate, without coming under the direct authority of the Responsible Party and **Processor** means, in relation to the GDPR, any person who Processes Personal Information on behalf of a Controller as a contractor or sub-contractor, in terms of a contract or mandate, without coming under the direct authority of the Controller.
- 5.2.7 **“Processing Notices”** means a notice setting out the prescribed information that must be provided to Data Subjects before collecting his, her or its Personal Information, (also known as “section 18 notices”, “privacy notices” or “data protection notices”).
- 5.2.8 **“Personal Information”** means Personal Information relating to any identifiable, living, natural person, in the case of POPIA and the GDPR and an identifiable, existing juristic person, in the case of POPIA, including, but not limited to:

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- o name, address, contact details, date of birth, place of birth, identity number, passport number;
- o bank details;
- o qualifications, expertise, employment details;
- o tax number;
- o vehicle registration;
- o dietary preferences;
- o financial details including credit history;
- o next of kin / dependants;
- o education or employment history; and
  
- o **Special Personal Information**, being including race, gender, pregnancy, national, ethnic or social origin, colour, physical or mental health, disability, criminal history, including offences committed or alleged to have been committed, membership of a trade union and biometric information, such as images, fingerprints and voiceprints, blood typing, DNA analysis, retinal scanning and voice recognition.

5.2.9 **“Personnel”** means ENX directors, employees and any other person who may Process Personal Information on behalf of ENX.

5.2.10 **“Processing, Process, Processed”** means in relation to Personal Information, the collection, receipt, recording, organization, collation, storage, updating or modification, retrieval, alteration, consultation or use; dissemination by means of transmission, distribution or making available in any other form; merging, linking, as well as restriction, degradation, erasure or destruction of information; or sharing with, transfer and further Processing, including physical, manual and automatic means.

5.2.11 **“Purpose”** means the underlying reason why a Responsible Party or Controller needs to Process a Data Subject’s Personal Information.

5.2.12 **“Responsible Party”** means, in relation to POPIA, the person or legal entity who is Processing a Data Subject’s Personal Information; and

5.2.13 **Controller** means, in relation to the GDPR, the person or legal entity who is Processing the Data Subject’s Personal Information;

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5.2.14 **“Record”** means any recorded information housing Personal Information Processed by ENX, or its Personnel, regardless of form or medium, including any of the following: Writing on any material; information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored; label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means; book, map, plan, graph or drawing; photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced, in the possession or under the control of ENX; whether or not it was created by ENX and regardless of when it came into existence, and “Folder” for the purpose of this Policy includes any Folder, in paper or electronic format, that stores, houses or holds specific Records allocated thereto.

## 6. AREAS WHERE ENX PROCESSES PERSONAL INFORMATION

- 6.1 ENX is a JSE Listed entity that holds various operating entities, refer to annexure A.
- 6.2 ENX in order to carry out its business and realise its objectives, does and will continue to make use of Personal Information which belongs to individuals and public and private entities, including employees and directors, service providers, customers and other third parties.
- 6.3 The Processing of this Personal Information mostly takes place in South Africa.
- 6.4 There will however be occasions where certain ENX Processing activities take place in countries situated in the EU.
- 6.5 In light of these Processing activities, ENX as a law-abiding entity is obligated and will ensure that it and its Personnel, comply with POPIA, and where applicable with the GDPR, and the applicable Processing principles and conditions when carrying out its business.

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**7. OBJECTIVE**

7.1 The objective of this Policy is to ensure that ENX and its Personnel:

- 7.1.1 comply with applicable laws, international legal standards and best practices which regulate the Processing of a Data Subject’s Personal Information;
- 7.1.2 protect the privacy of its Data Subjects in relation to their Personal Information;
- 7.1.3 mitigate the risks of unlawful Processing of Personal Information and avoid related data breaches.

**8. PURPOSE**

8.1 The purpose of this Policy is to:

- 8.1.1 provide clear guidelines and directions to all Personnel on how they must Process Personal Information, thereby ensuring that Personal Information Processed by ENX is done in a lawful, transparent and consistent manner and in full compliance with POPIA and where applicable the GDPR, and any other Data Processing laws which may from time to time apply to its operations; and
- 8.1.2 establish uniform and suitable Personal Information Processing procedures and standards in respect of the Processing of Personal Information.

**9. SCOPE AND APPLICATION**

This Policy including any ancillary, associated or related rules and standards which seek to regulate the Processing of Personal Information Processed in South Africa, or in any EU country, by ENX whether in an automated or non-automated manner, and regardless of how such information is stored or recorded, and regardless of when such record came into existence, applies to any persons who Process Personal Information on behalf of ENX, including ENX directors, employees and Operators, who will hereinafter be referred to collectively as “Personnel”.

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**10. LAWFUL BASIS FOR PROCESSING**

- 10.1 In terms of POPIA, and where applicable the GDPR, where Personal Information is Processed such Processing must be done lawfully and in a reasonable manner that does not infringe on the privacy of the Data Subject.
- 10.2 In order to discharge the above obligations, Personnel must comply with the Processing guides, rules and procedures set out below.

**11. CONSENT**

- 11.1 A Data Subject does not have to Consent to the Processing of his, her or its Personal Information where there is a lawful basis for such Processing.
- 11.2 A lawful basis for Processing in terms of the Data Processing laws, is where:
  - 11.2.1 the Processing is necessary to conclude a contract to which the Data Subject is a party and to perform contractual obligations or give effect to contractual rights;
  - 11.2.2 the Processing is necessary in order to comply with a law or to comply with certain legal obligations imposed by a law;
  - 11.2.3 the Processing is necessary to protect ENX’s legitimate interests or rights, the Data Subject’s legitimate interests or rights or a third party’s legitimate interests or rights, unless there is a good reason to protect the Data Subject’s Personal Information which overrides those legitimate interests;
  - 11.2.4 the Processing is necessary in order to perform a public duty or to perform tasks carried out in the public interest or the exercise of official authority.
- 11.3 Where there is no lawful basis for the Processing, then the Data Subject,
  - 11.3.1 has to Consent to the Processing, where the Processing is done in South Africa, which must be freely and genuinely given; or
  - 11.3.2 has to provide Explicit Consent to the Processing, where the Processing is done in the UK or a country falling within the EU, which must be freely and genuinely given.

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- 11.4 Personnel must ensure that prior to Processing a Data Subject’s Personal Information, that there is either a lawful reason for the Processing, or alternatively that the Data Subject has Consented to such Processing, which lawful reason will be described under the specific and informative ENX Processing notice, or in the absence of a lawful reason, will call for the Data Subject’s consent.
- 11.4 A Data Subject may withdraw his, her, its Consent or Explicit Consent to Processing so long as it provides ENX with a withdrawal of consent notice, which notice is available on the ENX website, which request will be handled and actioned directly by the ENX Information Officer, which outcome in turn, will be relayed to the respective Personnel who has been Processing such Personal Information.
- 11.5 A Data Subject may not withdraw Consent where no Consent (POPIA) or Explicit Consent (GDPR) is required, i.e., where ENX can show that there is a lawful basis for the Processing. In such a case the Data Subject may only object to such Processing, provided that an Objection notice is sent to ENX which notice is available on the ENX website, which request will be handled and actioned directly by the ENX Information Officer and which outcome will be relayed to the respective Personnel who has been Processing such Personal Information.
- 11.6 Where a Data Subject withdraws Consent or Explicit Consent or objects to the Processing, in such case ENX and the respective Personnel who has been Processing the impacted Personal Information, will have to stop Processing the Personal Information, unless ENX can show compelling legitimate grounds for the Processing which overrides the interests, rights and freedoms of the Data Subject, or the Processing is necessary for the establishment, exercise or defence of legal claims.
- 11.7 The Information Officer will at the time of the withdrawal or objection referred to under 11.5 and 11.6, explain to the Data Subject the effects and consequences of any withdrawal or objection.

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**12. PURPOSE SPECIFIC**

12.1 Personal Information:

- 12.1.1 may only be collected for a specified, explicit and legitimate purpose;
- 12.1.2 must only be used for the purpose for which it was collected and for no other purpose, unless the Data Subject has been informed of the other purposes;
- 12.1.3 may not be further Processed or used for any subsequent purpose, unless that Personal Information is required for a similar purpose; and such Processing is compatible with the initial purpose.

12.2 ENX for the purposes of carrying out its business and related objectives Processes Personal Information belonging to a vast range of Data Subjects, including employees and staff, prospective employees and job applicants, students and interns, service providers and contractors, vendors, clients, customers, and other third parties, which Processing is required for a variety of business-related purposes.

12.3 Examples of these purposes are described below.

- to recruit and employ - employment;
- to sell or purchase goods and services - procurement and supply chain;
- concluding and managing a contract or business transaction - contract;
- conducting criminal reference checks - legitimate interest;
- risk assessments - legitimate interest;
- insurance and underwriting purposes - legitimate interest;
- assessing and Processing queries, enquiries, complaints, and / or claims - legitimate interest;
- conducting credit checks - legitimate interest;
- confirming, verifying and updating personal details - legitimate interest;
- detection and prevention of fraud, crime, money laundering or other malpractices - legitimate interest;
- conducting market or customer satisfaction research - legitimate interest;
- direct marketing - marketing;
- audit and record keeping purposes - legitimate interest;
- managing debtor and creditors - legitimate interest;
- complying with laws and regulations - laws;
- dealing with regulators - laws;

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- paying taxes - laws;
- collecting debts or legal proceedings - legitimate interest;
- communications - legitimate interest;
- managing employees - employment.

12.4 Personnel must:

- 12.4.1 ensure that before Personal Information is Processed, there is a valid and legitimate reason for such Processing;
- 12.4.2 advise all Data Subjects why the Personal Information is required, i.e., the purpose for the Processing, which purpose will be described under the specific and informative ENX Processing notice, housed on the ENX website;
- 12.4.3 direct the Data Subject to the applicable area of the ENX website where the specific and informative ENX Processing notice is housed.

**13. ACCURACY**

- 13.1 All Personal Information Processed by ENX must be accurate and, where necessary, kept up - to - date.
- 13.2 Personnel in order to ensure that Personal Information is accurate, and is up-to-date, must:
  - 13.2.1 take all and every reasonable step to ensure that all Personal Information which they Process is accurate, having regard to the purposes for which it is Processed, and where it is found to be inaccurate, that it is where possible, updated and rectified without delay;
  - 13.2.3 implement procedures allowing Data Subjects to update their Personal Information;
  - 13.2.4 send out regular communications to Data Subject requesting “updates to details” which if responded to, should be acted on immediately by the relevant or responsible department;
  - 13.2.5 where appropriate, and possible, ensure that any inaccurate or out-of-date records are updated and the redundant information deleted or destroyed;

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13.2.6 take note of the rights of the Data Subject in relation to updates and rectifications of Personal Information, housed under the ENX Processing Notices and give effect to any update request, when such request has been communicated through to it by the Information officer.

**14. DATA MINIMISATION**

14.1 ENX may not Process Personal Information which is not necessary for the Purpose for which the Personal Information is Processed.

14.2 Personnel must

14.2.1 ensure that when they process Personal Information on behalf of ENX, that it is adequate, relevant and limited to what is necessary in relation to the purposes for which it is Processed; and

14.2.2 revisit all pre-populated questionnaires and forms which are currently used to collect or house Personal Information and consider the purpose or reason for the collection and thereafter analyse the types of Personal Information which is request or collected and where of the view that certain Personal Information is not needed for the defined purpose, then such information should no longer be called for, collected and / or recorded and the relevant areas where this information is housed or asked for should be deleted.

**15. TRANSPARENCY AND PROCESSING NOTICES**

15.1. ENX has a duty to show that it has dealt with a Data Subject in a transparent manner.

15.2. In order to demonstrate transparency, ENX must provide all Data Subjects, with a specific and informed Processing notice, at the time when ENX collects and Processes a Data Subject’s Personal Information or within a reasonable period thereafter, which Processing notice must set out:

15.2.1 the types of Personal Information Processed, and the purpose or reason for the Processing;

15.2.2 the lawful basis relied upon for such Processing or whether Consent or Explicit Consent is required for the Processing;

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- 15.2.3 the period for which the Personal Information will be retained;
  - 15.2.4 who the Personal Information will be shared with, including external or cross border transfers and the mechanism(s) relied upon for such transfer;
  - 15.2.5 the security measures which are in place to protect the Personal Information, including where the Personal Information is sent to parties cross border and the mechanism(s) relied upon for such protection; and
  - 15.2.6 the respective rights of the Data Subject and how these rights may be exercised.
- 15.3. In order to meet its obligations under 15.2 above, ENX has developed and placed on its websites the following informed and specific Processing notices which apply to the different Data Subject categories who it deals with:
- 15.3.1 an **HR Processing Notice**, which applies to all employees – perspective and actual, all bursary or learnership beneficiaries- perspective or actual;
  - 15.3.2 a **Procurement Processing Notice**, which applies to all participants in the ENX supply chain, including persons who provide goods and services to ENX (service providers), persons or entities who purchase goods or services from ENX (Customers), and / or other parties who ENX may engage with and who make up the ENX Procurement and supply chain, including Regulators;
  - 15.3.3 a **Corporate Social Investment (CSI) Processing Notice**, which applies to CSI beneficiaries, perspective or actual who ENX may engage with;
  - 15.3.4 a **Company Secretarial Processing Notice**, which applies to directors, trustees, executives, committee members, shareholders and stakeholders who ENX may engage with;
  - 15.3.5 **Security Processing Notice**, which applies to any persons who come onto the ENX sites, facilities and offices who ENX may engage with;
- 15.4 In order to give effect to the above transparency requirement, Personnel:
- 15.4.1 must all understand the provisions of the Data Processing laws;

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15.4.2 familiarise themselves with the abovementioned ENX Processing Notices and any others which ENX may implement from time to time, and any changes made thereto;

15.4.3 familiarise themselves with, where applicable, ENX standard binding corporate rules, its standard Personal Information transfer agreement and / or its Operator agreement;

15.4.4 ensure that all ENX documents, forms or other records (Records) which house or call for Personal Information contain the following Data Processing details:

*“Please note that in order for ENX to engage with you, it will have to Process certain Personal Information which belongs to you, which Processing is described and explained under the specific and informative ENX Processing Notices, housed for ease of reference on the ENX website, which we ask that you download and read. By providing us with the required Personal Information, such act will be taken as an indication that you have read and agree with the provisions described under the Processing Notice.*

15.4.5 at the time of Processing, direct the Data Subjects who they deal with to the applicable area of the ENX website where the specific and informative ENX Processing notice is housed.

**16. GENERAL DUTIES: CONFIDENTIALITY, INTEGRITY AND SECURITY OF PERSONAL INFORMATION**

16.1 In order to safeguard, secure and ensure the confidentiality and integrity of all Personal Information held by or under the control of ENX, ENX must;

16.1.1 identify all reasonably foreseeable internal and external risks to Personal Information in its possession or under its control;

16.1.2 document the identified risks;

16.1.3 establish, in response to the identified risks, reasonable technical and organizational measures across all areas where Personal Information is held or stored, including electronic and physical mediums;

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16.1.4 implement and maintain all approved and required measures across all areas where Personal Information is held or stored, including electronic and physical measures, all which are designed to minimise the risk of loss, damage, unauthorised destruction and / or unlawful access of Personal Information;

16.1.5 regularly verify that these measures are effectively implemented; and ensure that the measures are continually updated in response to new risks or deficiencies in previously implemented measures and safeguards, which measures include, where appropriate, among others, the following:

16.1.5.1 the pseudonymisation and encryption of Personal Information;

16.1.5.2 ongoing efforts to ensure the long-term confidentiality, integrity, availability and resilience of Personal Information housed within the ENX environment;

16.1.5.3 applications and processes which have the ability to rapidly restore the availability of and access to Personal Information in the event of a tangible or technical incident; and

16.1.5.4 procedures for the regular review, assessment and evaluation of the effectiveness of the technical and organizational measures taken to ensure the security of Processing, including regular IT Security Audits.

16.2 The duty to ensure data privacy, confidentiality and integrity of Personal Information starts when ENX initially interacts with a Data Subject and will continue throughout the relationship, until the purpose for the Processing of the Personal Information comes to an end.

16.3 In order to give effect to the above, all Personnel must:

16.3.1 keep all Personal Information, safe, secure and confidential and ensure that the confidentiality and security of Personal Information is maintained at all times;

16.3.2 identify all reasonably foreseeable internal and external risks to Personal Information which is in their possession or under their control;

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- 16.3.3 establish and maintain appropriate safeguards against the risks identified;
- 16.3.4 regularly verify that the safeguards are effectively implemented;
- 16.3.5 ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards;
- 16.3.6 not attempt to circumvent any administrative, physical or technical measures which ENX has implemented in order to minimise, in relation to Personal Information, the risk of loss, damage, unauthorised destruction and / or unlawful access thereto;
- 16.3.7 ensure that prescribed security measures and controls are implemented or where instructed followed to prevent all and any unauthorised access to Personal Information, the accidental deletion of Personal Information or the exposure of Personal Information to malicious hacking attempts.

**17. RECORDS MANAGEMENT DUTIES: CONFIDENTIALITY, INTEGRITY AND SECURITY OF PERSONAL INFORMATION**

17.1 In order to ensure the confidentiality and integrity of all Records which house or contain Personal Information which are held by ENX, and in order to safeguard and secure these Records, Personnel must ensure that:

- 17.1.1 all Processing of Personal Information activities and communications are reduced to writing and retained in a Record, which Record may either be electronic or paper based;
- 17.1.2 each Record created is housed in a Folder, being a storage area, either electronic or paper based;
- 17.1.3 each Folder must be given an appropriate title or folder name using the ENX naming convention;
- 17.1.4 each Record held in a Folder or sub folder must be given an appropriate title or name, using the ENX naming convention;
- 17.1.5 Folders and Records must be named in a consistent and logical manner so they can be located, identified and retrieved as quickly and easily as possible;

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- 17.1.6 all Folders and Records must be stored and saved in a way that the contents are identifiable as per the ENX naming convention.
- 17.1.7 the name of the Folder and related sub folders and Records held in such folders must be recorded in a Department Records Register which has to be compiled for each department, using the ENX standard Department Records Register which is more fully explained under the ENX Records Management Policy;
- 17.1.8 the name of each Folder and related Records housed therein, should be recorded in the Department Document Classification, Management and Retention Register which is more fully explained under the ENX Records Management Policy, including the following details:
- the name of the Folder and related Records;
  - format of the Folder and related Records;
  - where the Folder housing the Records is stored including physical or electronic location / server / archiving system etc.);
  - who has access to the Folder, and the Records;
  - status of the Folder and the Records;
  - retention period pertaining to the Folder and / or Records; and
  - destruction date of the Records;
- 17.1.9 their respective department and department head reviews their Department Records Register and Department Document Classification, Management and Retention Register annually to ensure compliance with this Policy;
- 17.1.10 each department provides a copy of its Records Register and Department Document Classification, Management and Retention Register to the ENX Records Manager, or where there is no Manager, to the Information Officer, annually, or on request.
- 17.1.11 Upon termination of employment, or change of job roles or responsibilities of Personnel, the affected line manager responsible for such Personnel must ensure that all access rights to any ENX Folders or Records is removed immediately and that all ENX assets used to access the Folders and or Records are returned to ENX, and that all physical access rights to the ENX premises and facilities are revoked or cancelled.

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**18. RECORDS MANAGEMENT DUTIES: STORAGE OF RECORDS HOUSING PERSONAL INFORMATION**

18.1 In order to ensure the confidentiality and integrity of all paper-based Records which house or contain Personal Information, which are held by ENX, and in order to safeguard and secure these Records, Personnel must ensure that all paper-based Records:

- 18.1.1 which are housed in physical storage areas are labelled and the details recorded in the Department Records Register;
- 18.1.2 when in use, are not left around for others to access, and are not left in places where persons can view the contents e.g., on a printer or on unmanned desks;
- 18.1.3 are stored securely when not in use, in Folders, which in turn are placed in locked boxes, drawers, cabinets, or similar structures or containers;
- 18.1.4 that only Personnel who are required, on an operational and need to know basis are given access to such Records and / or Folders; and
- 18.1.4 are only removed from ENX premises with the prior approval of one’s line manager and that such removal is recorded in the Department Records Register and when removed off site, such Records are safeguarded and kept confidential;

18.2 In order to ensure the confidentiality and integrity of all electronic Records which house or contain Personal Information, which are held by ENX, and in order to safeguard and secure these Records, Personnel must ensure that:

- 18.2.1 they comply with all applicable ENX IT Policies and Procedures, especially the ENX IT end user policy;
- 18.2.2 all electronic Records are stored and housed on ENX servers which are protected by approved security software, and one or more firewalls under the direction of the ENX IT Manager and where transferred or uploaded to cloud computing services from computers, devices and applications, that these services have been approved by the ENX IT Manager;

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- 18.2.3 all devices where electronic Folders and / or Records are stored, are password protected and that passwords are not written down or shared, irrespective of seniority or department, which passwords must be strong passwords which are changed regularly. If a password is forgotten, it must be reset using the applicable method;
- 18.2.4 all network devices and drives where electronic Folders and Records are stored have access control measures in place;
- 18.2.5 electronic Folders and Records are not stored on mobile devices and removable media, which includes, but is not limited to: smart phones, tablets and Ipads, Digital media, USB sticks, external hard drives, CDs, DVDs, memory cards, tapes, unless the content of such Record (s) is encrypted and the device is password protected;
- 18.2.6 where one needs to use and access the contents of an electronic Folder or Record, off site, which will not be accessed using ENX secured servers, and which will be downloaded on to portable device for off-site working purposes, such person must :
  - 18.2.6.1 explain and justify the operational need for the removal in relation to the volume and sensitivity of the Personal Information;
  - 18.2.6.2 obtain authorisation in writing from one’s line manager for the removal;
  - 18.2.6.3 only remove the Folders and / or Records or parts thereof which are necessary for one’s immediate needs;
  - 18.2.6.4 ensure that the removal is recorded in the Department Records Register;
  - 18.2.6.5 where possible and feasible, ensure that the Personal Information to be removed is strongly encrypted;
  - 18.2.6.6 ensure that the removed Folder and / or Record, once dealt with is deleted from the portable device;

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18.2.7 all electronic Records are regularly backed up using the ENX provided systems and applications and in accordance with backup protocols. Such backups will be tested regularly in line with ENX standard backup procedures and protocols under the direction of the IT Manager;

18.2.8 all device screens, when not in use are always locked especially when left unattended;

18.2.9 electronic Records are only transmitted over secure networks, including wireless and wired networks.

**19. RECORDS MANAGEMENT DUTIES: RETENTION AND DISPOSAL OF RECORDS HOUSING PERSONAL INFORMATION**

19.1 Folders and Records housing 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 the longer retention of the Folder or Record:

19.1.1 is required or authorised by law;

19.1.2 is required by ENX for lawful purposes related to its functions or activities;

19.1.3 is required by a contract between the parties thereto; or

19.1.4 is as per consent, received from the Data Subject who owns the Personal Information.

19.2 Records housing Personal Information may be retained indefinitely for historical, statistical or research purposes provided that ENX has established appropriate safeguards against the records being used for any other purposes.

19.3 Each ENX department will be responsible for the correct management of their Folders and Records, including the closing and archiving of these Records when they are no longer needed.

19.4 In order to ensure that the duties under 19.1 and 19.2 are discharged, all Personnel must ensure that:

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- 19..4.1 on an ongoing basis they manage the respective life cycles of Folders and Records under their control;
- 19.4.2 they establish what record retention periods and related requirements apply to the respective Folders and Records under their control, which are set out under the ENX Records Management Policy;
- 19.4.3 the record retention periods and related requirements are recorded in the department’s relevant Document Classification, Management and Retention Register;
- 19.4.4 a Folder and Record is formally closed when the matter housed in the Folder or Record comes to an end, which is documented in the relevant Document Classification, Management and Retention Register;
- 19.4.5 a closed Folder or Record is moved to a dedicated archive storage area where the Folder or Record will be retained for the prescribed retention period detailed under 19.4.2.above;
- 19.4.6 Folders and Records are only archived in secure storage media;
- 19.4.7 only authorized personnel should be granted physical and system-based access to archived Folders and Records;
- 19.4.8 Folders and Records in archived areas are regularly backed up;
- 19.4.9 requests for changes of retention periods must be made to one’s head of department and approved by the Legal Department;
- 19.4.10 once the prescribed retention period in respect of an archived Folder or Record has expired, the Folder or Record is marked “for deletion or disposal”;
- 19.4.11 before a Folder or Record is deleted or destroyed, the department head must obtain permission to delete or destroy said Folder or Record from the Records Manager and the Information Officer, which will be reflected in the relevant department Document Classification, Management and Retention Register;

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- 19.4.12 each department, once approval for the deletion / destruction of the Folder or Record has been received, via the head of the department, will be responsible for the deletion or destruction of such archived Folder or Record after the expiration of the retention period, unless instructed otherwise by the Law Department, for example when there is a requirement to place the Folder or Record under a legal hold;
- 19.4.13 the legal hold status must be indicated under the relevant Folder or Record in the relevant Document Classification, Management and Retention Register;
- 19.4.14 during a legal hold procedure, the affected Folder or Record must not be destroyed, even if the retention period has expired;
- 19.4.15 the deletion / disposal of Folders and Records must ensure the permanent and complete deletion / disposal of all originals and reproductions (including both paper and electronically stored records);
- 19.4.16 the department head is responsible for documenting the destruction details under the relevant department Document Classification, Management and Retention Register.

**20. OPERATORS**

- 20.1 Where ENX makes use of an Operator or a GDPR Processor it must ensure that a written agreement is concluded between ENX and the Operator, which sets out the rules which the Operator will have to follow when Processing Personal Information on behalf of ENX
- 20.2 ENX has developed a standard Operator Agreement for this purpose, which agreement is housed on its website.
- 20.3 All Personnel must:
  - 20.3.1 familiarise themselves with the standard ENX Operator agreement;
  - 20.3.2 ascertain who they use as Operators, now and in the future, include such details under an Operator register, and ensure that all such Operators sign the standard ENX Operator agreement or a similar one which has been approved and signed off by ENX;

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20.3.3 ensure that Operator agreement is followed by an Operator;

20.2.4 where an Operator agreement is breached, bring this to the attention of one's line manager and the Information Officer and following a decision reached by these parties, carry out the planned course of action, which ultimately must aim to protect and secure the Personal Information which is the subject matter of that Operator agreement.

**21. SHARING PERSONAL INFORMATION**

21.1 ENX may not share Personal Information with third parties, unless:

21.1.1 there is a legitimate business need to share the Personal Information; or

21.2.2 the Data Subject has been made aware that his, her or its Personal Information will be shared with others and has, where required, given consent to such sharing; and

21.2.3 the person receiving the Personal Information has either agreed to keep the Personal Information confidential and to use it only for the purpose for which it was shared under the standard ENX Personal Information transfer agreement, which is housed on the ENX website or where acting as an operator or a GDPR Processor, has concluded an Operator agreement with ENX, before receipt of the Personal Information.

21.3 In order to ensure that the above takes place, Personnel must ensure:

21.3.1 that where Personal Information is shared externally with a third party, on a need-to-know basis, that the standard ENX Personal Information transfer agreement is concluded with the recipient, before receipt of the information;

21.3.2 that where Personal Information is shared with an Operator, that the standard ENX Operator agreement is concluded with the Operator before receipt of the Personal Information;

21.3.3 that any requested deviations for the standard ENX Personal Information transfer agreement or the Operator agreement is vetted and approved by the ENX Legal Department;

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- 21.3.4 when sending emails which contain Personal Information, that they are marked “confidential”, do not contain the Personal Information in the body of the email, whether sent or received, but rather placed in an attachment, which email is then encrypted before being transferred electronically;
  - 21.3.5 that Personal Information is not transferred or sent to any entity not authorised directly to receive it;
  - 21.3.6 that where Personal Information is to be sent by facsimile transmission, that the recipient has been informed in advance of the transmission and that he or she is waiting by the fax machine to receive the data;
  - 21.3.7 that where Personal Information is transferred physically, whether in hardcopy form or on removable electronic media that it is passed directly to the recipient or sent using recorded deliver services and housed in a suitable container marked “confidential”;
  - 21.3.8 that where Personal Information is shared internally, that adequate measures are put in place to protect the confidentiality and integrity of such information.
- 21.4 The standard ENX Data transfer agreement and Operator agreement can be accessed by contacting [info@enxgroup.co.za](mailto:info@enxgroup.co.za).

**22. CROSS BORDER TRANSFERS OF PERSONAL INFORMATION**

- 22.1 ENX may not transfer Personal Information to another party who is situated outside South Africa, or outside any territories falling within the EU, unless
  - 22.1.1 the Data Subject Consents (POPIA) or Explicitly Consents (GDPR) to such Processing; or
  - 22.1.2 the transfer is necessary in order to perform a contract between ENX and a Data Subject, or for reasons of public interest, or to establish, exercise or defend legal claims or to protect the vital or legitimate interests of the Data Subject in circumstances where the Data Subject is incapable of giving Consent; or
  - 22.1.3 the country where the Personal Information is being transferred to providers with the same level of protection for the Data Subject (s) as housed under the data processing laws applicable in South Africa, or in the EU; or alternatively,

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22.1.5 ENX has concluded an agreement with the recipient of the Personal Information, either in the form of a standard binding corporate rule, or an Operator agreement or a Personal Information transfer agreement, which sets out the rules which apply to the receipt and subsequent Processing of that Personal Information.

22.2 In order to ensure that the above is followed, Personnel may not transfer Personal Information to areas outside South Africa, or to areas outside territories within the EU, unless one of the following controls and safeguards are in place:

22.2.1.1 the European Commission or the South African Data Privacy Regulator has issued an “adequacy decision” confirming that the territory or country where ENX proposes transferring the Personal Information to, has adequate Data Protection laws in place which will afford the Data Subject with the same level of protection as that under POPIA or the GDPR, as the case may be;

22.2.2 a standard binding corporate rule is in place, which covers the recipient of the Personal Information;

22.2.3 the standard ENX Personal Information data transfer agreement or Operator agreement has been concluded with recipient of the Personal Information;

22.2.4 ENX has an approved code of conduct in place which has been approved by the Information Regulators which allows such transfers;

22.2.5 the Data Subject has given Consent (POPIA) or Explicit Consent (GDPR) to the proposed transfer, having been fully informed of any potential risks;

22.2.6 the transfer is necessary in order to perform a contract between ENX and a Data Subject, for reasons of public interest, to establish, exercise or defend legal claims or to protect the vital interests of the Data Subject in circumstances where the Data Subject is incapable of giving Consent (POPIA), or Explicit Consent (GDPR).

**23. DIRECT MARKETING**

23.1 Direct marketing, including unsolicited direct electronic marketing is prohibited unless the Data Subject has consented to the receipt of this marketing material.

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23.2 In order to ensure that direct marketing is sent out in a lawful manner, all Personnel must ensure that:

23.2.1 all ENX customers, when approached or dealt with for the first time, are given the opportunity in an informal manner to agree or disagree to the receipt of any ENX direct marketing material;

23.2.2 before direct marketing is sent to a non-customer that such person provides his, her, or its consent thereto, which will be in the form of the prescribed “opt in” notice, available on the ENX website;

23.2.3 when marketing material is sent to Data Subjects, that the material houses an “opt out” form, allowing the Data Subject to opt out of any further marketing material; and

23.2.4 when a Data Subject exercises his, her or its right to object to receiving direct marketing, in the form of an opt out, that such opt out is recorded and given effect to, and that no further direct marketing is sent to the opted-out customer.

23.3 The ENX marketing opt in and opt out forms are available on its website.

**24. REPORTING PERSONAL INFORMATION BREACHES**

24.1 In the event of a Personal Information breach, ENX has a duty to give notice of such breach to:

24.1.1 the Information Control Officer (ICO) in the case of a breach in the EU;

24.1.2 to the Information Regulator in the case of a breach in South Africa, and

24.1.3 to the affected Data Subjects in the case of a breach in South Africa or the EU.

24.2 ENX has put in place appropriate procedures to deal with any Personal Information breach and will notify the ICO / Information Regulator and / or the Data Subjects, as the case may be when it is legally required to do so.

24.3 Personnel have a duty to

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24.3.1 immediately report through to the Information Officer, any suspected or known Personal Information breach; in the prescribed ENX data breach report, which report must contain the following details:

24.3.1.1 categories and approximate number of Data Subjects concerned;

24.3.1.2 categories and approximate number of Personal Information records concerned;

24.3.1.3 the likely cause of and the consequences of the breach;

24.3.1.4 details of the measures taken, or proposed to be taken, to address the breach including, where appropriate, measures to mitigate its possible adverse effects;

24.3.2 keep such information strictly private and confidential;

24.3.3 not to deal with any persons in relation to the Personal Information breach, including any officials to investigators, noting that only the Information Officer with the approval of the Organization’s Board has the right to report any Personal Information or security breach to the ICO / Information Regulator and / or the affected Data Subjects, as the case may be.

24.4 The ENX data breach report is available on its website.

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**25. DATA SUBJECT RIGHTS AND REQUESTS**

25.1 A Data Subject has a number of rights under the Data processing laws in relation to his, her or its Personal Information, including the right to:

- 25.1.1 withdraw Consent / Explicit Consent;
- 25.1.2 object to Processing;
- 25.1.3 obtain confirmation of Processing and / or access to Personal Information;
- 25.1.4 amend, update and delete Personal Information;
- 25.1.5 data portability;
- 25.1.6 to object to direct marketing;
- 25.1.7 be notified of a personal information breach; and
- 25.1.8 to complain.

25.2 ENX has developed, implemented and will maintain certain processes and related forms which give effect to these Data Subject rights, which processes and related forms are contained in the specific and informed ENX Processing notices which can be found on the ENX website.

25.3 When a Data Subject is desirous of exercising these rights, then he, she or it must be directed to the ENX website where the relevant Processing notices and related prescribed forms are housed, which form, once completed must be directed to and handled directly by the Information Officer or his or her deputy, and no other.

25.4 Personnel must:

- 25.4.1 Familiarise oneself with the Data Subjects’ rights, and the related processes and forms which need to be followed and completed in order to access these rights;
- 25.4.2 take note of and give effect to these processes;
- 25.4.3 where asked by any Data Subject to give effect to these rights, do not deal with the request directly but instead direct the Data Subject to the relevant process

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and form on the ENX website, and provide assistance in so far as completing the form only;

25.4.4 in particular note that where a Data Subject seeks advices on what Personal Information ENX holds and which pertains to that Data Subject or is desirous of accessing this Personal Information, that such right has to be exercised using the “request for access to information” procedure which is described under a law known as the Promotion of Access to Information Act, 2000 (PAIA) and which request procedure is more fully set out under ENX’s PAIA Manual available on ENX website.

**26. THE RIGHT TO COMPLAIN**

- 26.1 A Data Subject has to right lodge a complaint with regards to the Processing of his, her or its Personal Information.
- 26.2 ENX has established for this purpose, an internal compliant resolution procedure.
- 26.3 Should a Data Subject wish to submit a complaint, Personnel must, if contacted by the Data Subject, ask the Data Subject to complete the prescribed “*personal information processing complaint*” form, which is housed on ENX website, and to submit once completed, the compliant directly to the Information Officer.
- 26.4 On receipt of the compliant, the Information Officer will attempt to hear and resolve the matter, internally and failing resolution will provide the Data Subject with a non-resolution notice.
- 26.5 If the Information Officer and Data Subject are able to resolve the matter, a record setting out the solution will be compiled, and signed by the parties and any other affected persons provided with details of the resolution.
- 26.6 Where the parties are unable to resolve the matter, the Data Subject on receipt of the non-resolution notice, will have the right to refer the complaint to the Information Regulator.

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**27. DATA PROTECTION IMPACT ASSESSMENTS**

- 27.1 A Personal Information impact assessment, also known as a Privacy Impact Assessment, is a process to help identify and minimise the data protection risks involved in projects, processes and activities involving the Processing of Personal Information.
- 27.2 In order to assess the impact of the Data Privacy laws, on any particular project which is carried out by ENX and which may entail the Processing of Personal Information, ENX will have to carry out an initial base line Personal Information impact assessment before it carries out such project.
- 27.3 These types of Personal Information impact assessments will be carried out when new technologies or new systems, solutions and research studies are implemented or where Personal Information Processing is likely to result in high risk to both the Data Subjects and to ENX
- 27.4 In order to give effect to the above, a Personnel must familiarise themselves with the requirement to conduct a Personal Information impact assessment, which must when conducted
  - 27.4.1 describe the nature, scope, context and purposes of the processing;
  - 27.4.2 assess necessity, proportionality and compliance measures;
  - 27.4.3 identify and assess risks to Data Subjects;
  - 27.4.4 identify any additional measures to mitigate those risks; and
  - 27.4.5 without exception be assessed and signed off by the Information Officer and, where relevant, the ENX IT Manager.

**28. PROFILING**

- 28.1 ENX does use Personal Information for profiling purposes which is done via “cookies” on its websites.
- 28.2 In terms of the GDPR, ENX must ensure that when Personal Information belonging to a Data Subject is used for profiling purposes, that the following takes place:

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- 28.2.1 clear information explaining the profiling is provided to Data Subjects, via privacy notices, cookie opt ins and cookie notices, including the significance and likely consequences of the profiling;
  - 28.2.2 appropriate mathematical or statistical procedures are used;
  - 28.2.3 technical and organizational measures are implemented to minimise the risk of errors. If errors occur, such measures must allow the errors to be easily corrected;
  - 28.2.4 all Personal Information Processed for profiling purposes shall be secured in order to prevent discriminatory effects arising out of profiling.
- 28.3 Personnel must take note of the above, and if approached by a Data Subject in relation or in connection to such Profiling, refer the Data Privacy Notice on its website and as a last resort, to the Information Officer.

**29. GOVERNANCE**

**29.1 Information Officers and deputies**

- 29.1.1 ENX has appointed in South Africa, in respect of all Personal Information Processed in South Africa, the following Information Officer:  
**A Hannington**
- 29.1.2 The Information Officer has the right to appoint and to delegate certain activities to Deputy Information Officers.
- 29.1.4 The Information Officer will be responsible in their respective areas of responsibility, for the following:
  - 29.1.4.1 developing, constructing and once prepared, implementing and overseeing an enterprise-wide Personal Information Processing framework and related roadmap;

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- 29.1.4.2 developing, constructing and once prepared, implementing and overseeing the various Personal Information Processing policies and procedures, including this Policy;
- 29.1.4.3 monitoring compliance with this Policy, the various Personal Information Processing policies, procedures and the Data Processing laws;
- 29.1.4.4 providing all Personnel with the necessary and required Personal Information Processing training;
- 29.1.4.5 providing ongoing guidance and advice on Personal Information Processing;
- 29.1.4.6 conducting Personal Information impact assessments when required, including base line risk assessments of all the Organization’s Personal Information Processing activities;
- 29.1.4.7 ensuring that all operational and technological Personal Information and data protection standards are in place and are complied with;
- 29.1.4.8 working closely with IT in order to ensure that appropriate technological and operational measures have been implemented in order to ensure the safety and security of all electronically stored Personal Information;
- 29.1.4.9 receiving and considering reports from IT about compliance with all technological and operational data protection standards and protocols;
- 29.1.4.10 be entitled and have authorisation in conjunction with the ENX HR function, to initiate disciplinary proceedings against Personnel who breach any technological and / or organizational and / or operational data protection standard, rule, custom, instruction, policy, practice and / or protocol (verbal, in writing or otherwise), including this Policy;

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- 29.1.4.11 review and approve any contracts or agreements which deviate from the standard ENX Processing documentation;
- 29.1.4.12 attend to requests and queries from Data Subjects, including requests for access to their Personal Information;
- 29.1.4.13 liaising with and / or co-operating with any regulators or investigators or officials who may be investigating a Personal Information or data privacy matter.

29.2 All queries and concerns in relation to the Processing of Personal Information within the ENX operations or concerning ENX activities, must be taken up with the Information Officer.

**29.3 IT Manager**

29.3.1 ENX has appointed the following as its IT Manager.

**D Haripal**

29.3.2 The IT Manager will be responsible for the following:

- 29.3.2.1 conducting cyber security risk assessments including base line risk assessments of all ENX information technology activities;
- 29.3.2.2 ensuring that adequate and effective IT operational and technological data protection procedures and standards are in place in order to address all IT security risks;
- 29.3.2.3 ensuring that all systems, services and equipment used for Processing and/or storing data adheres to internationally acceptable standards of security and data safeguarding, and is regularly updated to continue to comply with such standards;
- 29.3.2.4 issuing appropriate, clear, and regular rules and directives, whether for ENX as a whole or a particular part of it, department, person or level of person in relation to any aspect of ENX work, including password protocols, data access protocols, levels of persons who enjoy access to certain data sign-on procedures, password safeguarding protocols, sign-on and sign-off procedures, log-on and log-off procedures; the description of accessories, applications and

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equipment that will or may be used, and / or that may not be used under any circumstances, and the like.

- 29.3.2.5 evaluate any third-party services which ENX is considering or may acquire to Process or store data, e.g., cloud computing services and ensuring that appropriate and effective operational and technological data protection procedures and standards are in place in order to address all IT security risks which may present themselves in respect of these external service providers.

**30. TRAINING**

- 30.1 ENX will conduct regular training sessions covering the contents of the data privacy laws and ENX related Personal Information Processing policies and procedures, which will be available to all Personnel.
- 30.2 Personnel must :
  - 30.2.1 attend the scheduled and offered training;
  - 30.2.2 do all that is necessary in order to understand the data privacy laws and how they may impact on ENX Personal Information Processing activities;
  - 30.2.3 familiarise themselves ENX Personal Information Processing policies, procedures and prescribed forms;
  - 30.2.4 ensure that they Process Personal Information in accordance with the Data Processing laws, this Policy, the training, the related policies and procedures and / or any guidelines issued by ENX from time to time.

**31. RELATED POLICIES & PROCEDURES**

31.1 This Policy must be read together with the following interrelated ENX policies:

- 31.1.1 Records Management and Retention Policy;
- 31.1.2 PAIA Manual;
- 31.1.3 IT End User Agreement.

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31.2 Where any of the above-mentioned Policies conflict with this Policy, then in so far as the conflicting provision (s) provide for and apply to the Processing of Personal Information, then the provisions housed under this Policy will prevail.

**32. NON-COMPLIANCE**

32.1 Compliance with this Policy and any related procedures and policies, including those detailed under 27, is mandatory.

32.2 Any transgression of this Policy, and any related procedures and policies, will be investigated and may lead to disciplinary, civil and criminal action being taken against the offender.

32.3 Further information on the Data protection laws, the ENX Processing of Personal Information procedures and issues, including specific practical guidance on issues of particular relevance to ENX staff, can be found on ENX website, under the following URL.

**VERSION AND AMENDMENTS**

This Policy is effective as of 30 June 2021

Version	Author / Primary reviewer	Details of changes	Date	Approved by	Approved date
	External legal resource	Initial draft – new policy		A Hannington	

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**ANNEXURE “A**

**List of ENX Companies and Affiliates**

600SA Holdings (Pty) Ltd	South Africa	1968/000066/07	100.00 %
EIE Group (Pty) Ltd	South Africa	1974/002797/07	100%
Uni-Cape Equipment (Pty) Ltd	South Africa	1985/002524/07	100.00 %
UniCape Marine Equipment (Pty) Ltd	South Africa	2019/170595/07	100.00 %
Saficon Industrial Equipment (Pty) Ltd	South Africa	1970/002074/07	100.00 %
enX Trading Investments (Pty) Ltd	South Africa	2012/001052/07	100.00 %
Austro (Pty) Ltd	South Africa	1974/003305/07	100.00 %
Centlube (Pty) Ltd	South Africa	2011/126819/07	100.00 %
Ingwe Lubricants (Pty) Ltd	South Africa	2014/182020/07	100.00 %
New Way Power (Pty) Ltd	South Africa	1983/003012/07	100.00 %
Power O2 (Pty) Ltd	South Africa	1989/003104/07	100.00 %
West African Group (Pty) Ltd	South Africa	2005/040012/07	100.00 %
West African International (Pty) Ltd	South Africa	1995/008104/07	100.00 %
AGL Empowered (Pty) Ltd	South Africa	2016/357762/07	57.00 %
African Group Lubricants (Pty) Ltd	South Africa	2014/176422/07	100.00 %
AGL DRC Ltd	Democratic Republic of Congo	6-83-N97219Y	100.00 %
WAG Chemicals (Pty) Ltd	South Africa	1986/003393/07	100.00 %
Zestcor Eleven (Pty) Ltd	South Africa	1998/004139/07	37.00 %
Eqstra Investment Holdings (Pty) Ltd	United States	2016/229947/07	100.00 %
Amasondo Fleet Services (Pty) Ltd	South Africa	2000/015762/07	60.00 %
enX Corporation Ltd	South Africa	1984/007045/06	100.00 %
enX Fleet Management Botswana (Pty) Ltd	Botswana	2001/1608	100.00 %
Eqstra (Lesotho) (Pty) Ltd	Lesotho	99/446	100.00 %
Eqstra (Swaziland) (Pty) Ltd	Eswatini (formerly Swaziland)	744/1999	100.00 %
Eqstra Financial Services (Pty) Ltd	South Africa	1956/002589/07	100.00 %
Eqstra Fleet Services (Pty) Ltd	South Africa	1988/002850/07	100.00 %
Eqstra Fleet Services (PVP) (Pty) Ltd	Lesotho	2000/201	80.00 %
Eqstra Fleet Services Namibia (Pty) Ltd	Namibia	89/548	100.00 %
Eqstra NH Equipment (Pty) Ltd	South Africa	1959/001593/07	100.00 %
Eqstra Zambia Ltd	Zambia	96126	100.00 %
GPS Tracking Solutions (Pty) Ltd	South Africa	2002/031133/07	100.00 %

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Omatemba Fleet Services (Pty) Ltd	Namibia	2003/331	70.00 %
K2016224128 (South Africa) (Pty) Ltd	South Africa	2016/224128/07	100.00 %

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