

## PRIVACY & SECURITY POLICY

### **Introduction:**

This document outlines the Privacy & Security Policy Mpowered will follow when working with client data.

### **Stakeholders:**

Mpowered Licensee / Client (MC)

Mpowered's Employee or sub-contractor under its control (MES)

### **Definitions:**

1. "Personal Information" means personal information as defined in the POPI Act and includes any other MC Data that Mpowered may acquire or come across in the provision of any services or the supply of the software;
2. "POPI Act" means the Protection of Personal Information Act, 4 of 2013, as amended from time to time;
3. "MC Data" means the data and materials inputted into the software by the MC, the MC's users and/or Mpowered on the MC's behalf;

### **Policy:**

This policy pertains to all stakeholders mentioned above. The stakeholders must comply with the policy as outlined below.

1. MES shall:
  - a. comply with the information protection principles under the POPI Act and any equivalent or associated legislation in respect of the processing of Personal Information as provided to Mpowered by the MC from time to time;
  - b. only undertake the processing of Personal Information reasonably required by the Services and, in any event, strictly in accordance with the MC's instructions from time to time;
  - c. not disclose Personal Information to any person other than to MES to whom disclosure is necessary for the provision of the services;

- d. ensure that any disclosure of Personal Information as contemplated in clause c above is subject to a binding legal obligation upon MES to comply with the obligations set out in this policy. For the avoidance of doubt, any MES shall not relieve Mpowered of its obligation to comply fully with this policy, and Mpowered shall remain fully responsible and liable for ensuring full compliance with this policy in all respects;
- e. immediately inform the MC of any request from an individual for access to Personal Information, and comply with the MC's instructions in relation to complying with that request;
- f. have in place, and undertake to maintain during the license, appropriate technical and organisation measures against the accidental, unauthorised or unlawful processing, destruction, loss, damage or disclosure of Personal information, and adequate security programmes and processes to ensure that unauthorised persons do not have access to Personal information or to any equipment used to process Personal Information; and
- g. take all reasonable steps to ensure that any of MES who have access to Personal Information are honest, reliable and competent.

2. The MC Data and Personal Information:

- a. remains the property of the MC;
- b. shall be returned immediately to the MC upon termination of their agreement with Mpowered or when requested by the MC; and
- c. shall not be copied and/or retained in any form by Mpowered upon termination of the license, except as required by law or as per written agreement between Mpowered and the MC.