

NCLOSE (PTY) LTD

(the "Company")

MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act 2 of 2000

Date of Compilation		Date of last revision	
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1. Introduction

- 1.1. Nclose is an international cybersecurity defence, offence and protection specialist based in South Africa. Nclose is a modern company with leading security specialists offering tailored cybersecurity services to protect, maximise and streamline customers' business operations.

2. Contact Details of Information Officer

Name of Private Body	Nclose (Pty) Ltd
Information Officer (head of company)	Martin Potgieter
Street Address	Unit D02, Collingwood Building, Black River Park, Fir Street, Observatory, Cape Town, 8001
Postal Address	Unit D02, Collingwood Building, Black River Park, Fir Street, Observatory, Cape Town, 8001
Telephone Number	0860 625 673
Email	connect@nclose.com
Website URL	https://www.nclose.com/

3. PAIA and POPIA

- 3.1. The Promotion of Access to Information Act 2 of 2000 ("PAIA") grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. The Protection of Personal Information Act 4 of 2013 ("POPIA") gives effect to the constitutional right to privacy. One of the data processing principles under POPIA is that of data subject participation, which allows for data subjects to access and correct their personal information held by a responsible party. This manual provides for data subject to request this information from the Company.

4. Requests for Information

- 4.1. Requests in terms of PAIA must be made in accordance with the prescribed procedures, at the prescribed rates provided. The forms and tariff are dealt with in Regulations 6 and 7 promulgated in terms of PAIA.
- 4.2. Proof of payment of the said prescribed fee must accompany the completed application form.

5. The Guide

- 5.1. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission ("SAHRC") and will be updated and made available

by the Information Regulator. The Guide contains information for the purposes of exercising Constitutional Rights and is available in all of the official languages.

1.1. The contact details of the Information Regulator are:

Postal Address	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Email Address	infoereg@justice.gov.za
Website	https://www.justice.gov.za/infoereg/

1. Latest notice in terms of Section 52(2) (if any)

1.1. At this stage no notice has been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

6. Information Available in terms of any other Legislation

6.1. Information is held and maintained by the Company in compliance with the following legislation:

- Arbitration Act No. 42 of 1965
- Basic Conditions of Employment No. 75 of 1997
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Consumer Protection Act No. 68 of 2008
- Copyright Act No. 98 of 1978
- Cybercrimes Act No. 19 of 2020
- Electronic Communications Act No. 36 of 2005
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001
- Income Tax Act No. 95 of 1967
- Insolvency Act No. 24 of 1936
- Insurance Act No 27 of 1943
- Intellectual Property Laws Amendments Act No. 38 of 1997
- Labour Relations Act No. 66 of 1995
- Long Term Insurance Act No. 52 of 1998
- Medical Schemes Act No. 131 of 1998
- National Environmental Management: Waste Act No. 59 of 2008
- National Credit Act No. 34 of 2005
- Occupational Health & Safety Act No. 85 of 1993
- Patents Act No. 57 of 1978
- Pension Funds Act No. 24 of 1956
- Prescription Act No. 68 of 1969
- Prevention and Combating of Corrupt Activities Act No. 12 of 2004
- Prevention of Organized Crime Act No. 121 of 1998
- Protection of Personal Information Act No. 4 of 2013
- Short Term Insurance Act No. 53 of 1998

- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Trademarks Act No. 194 of 1993
- Unemployment Contribution Act No. 4 of 2002
- Unemployment Insurance Act No. 30 of 1996
- Value Added Tax Act 89 of 1991

7. Schedule of Records of the Company

- 7.1. The records held by the Company, both those that can be accessed without an application in terms of PAIA and otherwise, are listed in Schedule 1.

8. Schedule of Personal Information Processed by the Company

- 8.1. Schedule of Personal Information. The personal information processed by the Company in terms of POPIA is set out in Schedule 2.

- 8.2. Planned and actual transborder flows of personal information. The Company may use hosting or cloud services to store and process personal information that are not located in the RSA. If it does so, it will ensure that the level of protection given to the personal information is at least as good as that provided for under RSA Law, either by means of a binding contract with the service provider, or by using a service provider located in a country with privacy laws of similar or stronger effect.

8.3. Information Security Measures.

The Company employs appropriate, reasonable technical and organisational measures to secure the integrity and confidentiality of personal information in its possession or under its control, which include the following:

- 1.1.1. Identifying reasonably foreseeable internal and external risks to personal and other information in its possession or under its control;
- 1.1.2. Establishing and maintaining appropriate safeguards against the risks identified;
- 1.1.3. Regularly verifying that the safeguards are effectively implemented;
- 1.1.4. Ensuring that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards; and

2. Other Prescribed Information

- 2.1. At the time of the compilation of this manual, no further information has been prescribed.

3. Availability of Manual

- 3.1. This manual is available free of charge for inspection at the above-mentioned address and at the Information Regulator.
- 3.2. Copies of the manual may be obtained, subject to the prescribed fees.
- 3.3. The manual may also be accessed on the Company's website.

4. Reservation of Rights

- 4.1. Nothing in this manual is to be construed as a waiver of the right to the confidentiality of any document or any legal privilege or right of non-disclosure attaching to any document mentioned herein, whether in terms of any statute or under the common law. All rights in this regard are fully reserved.

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Schedule 1 – Records Available in Terms of PAIA

Category	Subject	Availability
Communication	Public services / product information	Available
	Media releases	Available
	Resources and content on website	Available
	Promotion of Access to Information Act Manual	Available
	Internal and external correspondence	May not be disclosed
	News and publications	Available
Human Resources	Employment contracts	May not be disclosed
	Disciplinary records	May not be disclosed
	Employment equity plan	Limited disclosure only on request
	Skills development programme	Limited disclosure only on request
	Salaries and wages records	May not be disclosed
	Documents relating to employee benefits	May not be disclosed
	Disciplinary code	Limited disclosure only on request
	Personnel Guidelines, Policies and Procedures	Limited disclosure only on request
	Leave records	May not be disclosed

	<p>Personal information of past, present and prospective employees and officer / directors</p> <p>Banking details</p> <p>PAYE records</p> <p>Documents issued to employees for income tax purposes</p> <p>Records of payments made to SARS on behalf of employees</p> <p>UIF records</p>	<p>May not be disclosed</p> <p>May not be disclosed</p> <p>May not be disclosed</p> <p>May not be disclosed</p> <p>May not be disclosed</p> <p>May not be disclosed</p>
Customer Records	<p>Records provided by customers, including documentary information required</p> <p>Records provided by a customer to a third party acting for and on behalf of the Company</p> <p>Records provided by third parties</p> <p>Correspondence with third parties</p> <p>Customer agreements and quotations</p>	<p>May not be disclosed</p> <p>May not be disclosed</p> <p>May not be disclosed</p> <p>May not be disclosed</p> <p>May not be disclosed</p>
Immovable and Movable Property	<p>Asset register</p> <p>Agreements for the lease of immovable property</p> <p>Agreements for the lease or sale of movable property</p> <p>Credit sale agreements and/or hire purchase agreements</p>	<p>Limited disclosure only on request</p> <p>May not be disclosed</p> <p>May not be disclosed</p> <p>May not be disclosed</p>

	Other agreements for the purchase, ordinary sale, conditional sale or hire of assets	May not be disclosed
Financial Information	Financial and accounting records	May not be disclosed
	Banking details	Available upon request
	Insurance records	May not be disclosed
	Tax compliance documents and tax returns	May not be disclosed
	Accounting records	May not be disclosed
	Bank statements	May not be disclosed
	Invoices in respect of creditors and debtors	May not be disclosed
	Details of auditors	Available upon request
	Auditors' reports in respect of audits conducted	Limited disclosure only on request
Information Technology	Computer software, support and maintenance agreements	May not be disclosed
	Other documentation pertaining to computer systems and computer programmes	May not be disclosed
Information relating to legal proceedings	Records relating to legal proceedings involving the Company	May not be disclosed
General Records	Customer, supplier and document databases	May not be disclosed
	BBBEE Certificate	Available upon request

	Commercial agreements Statutory records Organisational structure	May not be disclosed Available upon request Available upon request
Intellectual Property	List of trademarks, copyrights and designs held and pending applications Records relating to domain names Licenses relating to intellectual property rights	Available upon request Available upon request Limited disclosure only on request
Company Records	Documents of incorporation Memorandum of Incorporation Shareholder Agreements Minutes of Board of Directors meetings Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers Share Register and other statutory registers	Available upon request Limited disclosure only on request May not be disclosed May not be disclosed May not be disclosed May not be disclosed

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Schedule 2 – Personal Information Processed in Terms of POPIA

Personal Information	Purpose of Processing	Data Subjects it relates to	Valid Recipients
<p>Employee Personal Information, including:</p> <ul style="list-style-type: none"> - Full name - Identity Number - Physical address - Cellphone number - Personal Email address - Banking details - Tax information - Exit interviews 	<p>Managing employment relationship.</p> <p>As required by statutory obligations in terms of the relevant employment legislation.</p> <p>As required by SARS for tax purposes.</p>	<p>Past and current employees of the Company.</p>	<p>Management of the Company.</p> <p>Accounts department of the Company.</p> <p>SARS.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Supplier and Third-Party Contractors' Personal Information, including:</p> <ul style="list-style-type: none"> - Full name - Identity Number - Company name - Company Registration Number - Physical address - Contact details - VAT number - Banking details 	<p>Managing supplier/contractor relationship for services to be provided.</p> <p>To make payments for services rendered.</p> <p>As required by statutory obligations in terms of the relevant legislation.</p>	<p>Past and current suppliers/contractors of the Company.</p>	<p>Management of the Company.</p> <p>Accounts department of the Company.</p> <p>SARS.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Customer Personal Information, including:</p>	<p>Managing customer relationship.</p>	<p>Past and current customers of the Company.</p>	<p>Management of the Company.</p>

<ul style="list-style-type: none"> - Full name - Identity Number - Company/Entity name - Company/Entity Registration Number - Company/Entity incorporation documentation - Physical address - Contact details - VAT / Income Tax number - Banking details - Documentation / information provided by customer 	<p>To render services to customer.</p> <p>As required by statutory obligations in terms of the relevant legislation.</p>		<p>Relevant employees of the Company.</p> <p>Accounts department of the Company.</p> <p>Third party suppliers.</p> <p>SARS.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Personal Information collected from COVID19 sign-in register</p>	<p>Required to be obtained and kept in accordance with the relevant Regulations in terms of the Disaster Management Act.</p>	<p>Any person entering the Company's office.</p>	<p>Management of the Company.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Personal Information obtained from contact requests or queries submitted on the Company's website, including:</p> <ul style="list-style-type: none"> - Name - Cellphone number - Email address 	<p>Used to contact the person about the query.</p>	<p>Any person submitting a contact request or query on the Company's website.</p>	<p>Management of the Company.</p> <p>Employees dealing with the contact request or query.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>

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