

PROCEDURE ON THE MAINTENANCE OF CONFIDENTIALITY

1. Purpose:

To determine, establish and maintain the importance of confidentiality

2. Scope:

The aim of this document is to define how confidentiality with regards to information, knowledge, material and documentation related to Measured Entities, verification processes and requests to conduct BEE-verifications is to be maintained. It is applicable to all employees, sub-contractors and structures of BEE Transformation Solutions (Pty) Ltd.

3. Reference:

- Clause 13 and 16 –Confidentiality of R 47-03

4. Definitions

- BEE Transformation Solutions (Pty) Ltd hereinafter as "BTS"

5. Responsibilities:

The responsibility to implement this procedure lies with the Director/s, Verification Managers, Technical Signatories, Analysts, Head of Administration and Admirative Officials.

6. Procedure:

Principles:

- a) "BTS" gives an undertaking that in respect of any information, knowledge, documentation or other material acquired relating to – and created or obtained during the verification process of a Measured Entity, whether it was acquired from the Measured Entity or from a third party, "BTS" shall:
 - Respect and handle such information, knowledge, documentation or material as having a confidential and proprietary nature;
 - Not publish, disclose or make available such information, knowledge, documentation or material to a third party without the written consent of the Measured Entity, except in as far as "BTS" is required to submit any information, knowledge, documentation or material to the South African National Accreditation System (SANAS), the Department of Trade and Industry (DTI), if required to do so, or as may be required or compelled to do so or in terms of a regulatory framework of the South African law;
 - Not use any of the information, knowledge, documentation or material or any part of extract there-of for its own benefit or for the benefit of any third party.
- b) Only Nominated Representatives are authorised to deal with requests by third parties for any document, knowledge or information (including the BEE-status-level) regarding a Measured Entity.

Should a staff member receive such a request it will be reoffered to the Nominated Representative for his / her handling there-of.

- c) Nominated Representative will, on receipt of a request for information (including a request for the BEE-status level) regarding a Measured Entity, refers the individual / institution making the enquiry, to the Measured Entity.

Should the enquirer submit reasonable grounds for this request for information to be responded to by "BTS" and the Nominated Representative is of the opinion that the request is justified, it will request the enquirer to submit the request in writing, including the purpose for which the required information is requested, the basis / grounds for the requests and the details of the information that is required.

After having received the written request, the Nominated Representative will forward it to the Measured Entity for its comments. If the Measured Entity refuses permission, the enquirer will be informed accordingly. Permission by the Measured Entity to submit the requested information must be obtained in writing.

- d) All communication and steps regarding such requests by third parties for information regarding Measured Entities will be recorded by the relevant Nominated Representative in the file of the Measured Entity.
- e) The services agreement concluded between "BTS" and Measured Entity will include provisions ensuring respect for the proprietary and confidential information and documentation of Measured Entity.
- f) Staff members of "BTS" as well as external verification analysts and experts contracted by "BTS" to assist in verification processes, will sign undertakings to adhere to these principles, procedures as well as any confidentiality agreement entered into by 'BTS' with Measured Entities.
- g) Only Nominated Representatives are authorised to handle and consider requests for information, documents and material regarding Measured Entities and to authorise the publication thereof.
- h) "BTS" will not, without the written permission / consent of a Measured Entity, disclose to a third party any information or document related to a Measured Entity or conveyed to it during the verification process or any documentation created during the verification process of the Measured Entity, unless compelled to do so by law or in terms of its professional affiliations.
- i) If required by law to submit information, knowledge, documentation or material relating to a Measured Entity, "BTS" will notify the Measured Entity in advance of the information, etc. to be submitted unless prohibited to do so by law
- j) Measured Entities and other entities enquiring on possible - / requesting BEE-verifications by "BTS" will be informed both in writing and during the opening meetings of on-site verification visits of the general contents of the confidentiality policy and procedures of "BTS".
- k) Nominated Representatives will issue instructions regarding the safeguarding of confidential information, documentation, etc.
- l) Verification Team Leaders will carry the responsibility for the safeguarding of verification documentation in their possession.