

POLICY STATEMENT AND MANUAL OF:
PROTECTION OF PERSONAL, INFORMATION AND THE RETENTION OF DOCUMENTS
FOR
SALTLIGHT CAPITAL MANAGEMENT (PTY) LTD
(hereinafter referred to as “SCM”)
(Registration number: 2016/420527/07)

Last Updated: May 2019

A: PROTECTION OF PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

SALTLIGHT POPI POLICY 2019

1.1 INTRODUCTION

SALTLIGHT CAPITAL MANAGEMENT a discretionary investment manager functioning within the investment industry that is obligated to comply with The Protection of Personal Information Act 4 of 2013.

POPI requires that SCM inform their clients as to the manner in which their personal information is used, disclosed and destroyed.

SCM guarantees its commitment to protecting its client’s privacy and ensuring that their personal information is used appropriately, transparently, securely and in accordance with applicable laws.

The Policy sets out the manner in which the SCM deals with their client’s personal information as well as and stipulates the purpose for which said information is used. The Policy is made available on the SCM company website www.saltlight.co.za and by request from the SCM office.

1.2 PERSONAL INFORMATION COLLECTED

Section 9 of POPI states that *“Personal Information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.”*

SCM collects and processes client’s personal information pertaining to the client’s financial needs. The type of information will depend on the need for which it is collected and will be processed for

that purpose only. Whenever possible, SCM will inform the client as to the information required and the information deemed optional.

Examples of personal information we collect include, but is not limited to:

- The Client's Identity number, name, surname, address, postal code, marital status, and number of dependants;
- Description of the client's residence, business, assets; financial information, banking details, etc-.
- Any other information required by SCM and investment platforms in order to provide clients with an accurate analysis of their investment needs. SCM also collects and processes the client's personal information for marketing purposes in order to ensure that our products and services remain relevant to our clients and potential clients.

SCM aims to have agreements in place with all product suppliers, administrators and third party service providers to ensure a mutual understanding with regard to the protection of the client's personal information. SCM suppliers will be subject to the same regulations as applicable to SCM.

With the client's consent, SCM may also supplement the information provided with information SCM receives from other providers in order to offer a more consistent and personalized experience in the client's interaction with SCM.

For purposes of this Policy, clients include potential and existing clients.

1.3 THE USAGE OF PERSONAL INFORMATION

The Client's Personal Information will only be used for the purpose for which it was collected and as agreed.

This may include:

- Providing products or services to clients and to carry out the transactions requested;
- For risk assessment purposes;
- Conducting credit reference searches or- verification;
- Confirming, verifying and updating client details;
- For purposes of trading history;
- For the detection and prevention of fraud, crime, money laundering or other malpractices;
- Conducting market or customer satisfaction research;
- For audit and record keeping purposes;
- In connection with legal proceedings;
- Providing SCM services to clients, to render the services requested and to maintain and constantly improve the relationship;

- Providing communication in respect of SCM and regulatory matters that may affect clients; and
- In connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law.

According to section 10 of POPI, personal information may only be processed if certain conditions, listed below, are met along with supporting information for SCM processing of Personal Information:

- a) The client's consents to the processing: - consent is obtained from clients during the introductory, appointment and needs analysis stage of the relationship;
- b) The necessity of processing: in order to conduct an accurate analysis of the client's needs for purposes of amongst investment advice.
- c) Processing complies with an obligation imposed by law on the SCM.
- d) The Financial Advisory and Intermediary Services Act ('FAIS') requires Financial Service Provider's ('FSPs') to conduct a needs analysis and obtain information from clients about their needs in order to provide them with applicable and beneficial products;
- e) Processing protects a legitimate interest of the client — it is in the client's best interest to have a full and proper needs analysis performed in order to provide them with an applicable and beneficial product or service.
- f) Processing is necessary for pursuing the legitimate interests of SCM of a third party to whom information is supplied — in order to provide SCM clients with products and or services both SCM and any of our product suppliers require certain personal information from the clients in order to make an expert decision on the unique and specific product and or service required.

1.4 DISCLOSURE OF PERSONAL INFORMATION

SCM may disclose a client's personal information to any of the SCM companies or subsidiaries, joint venture companies and or approved product- or third party service providers whose services or products clients elect to use. SCM has agreements in place to ensure that compliance with confidentiality and privacy conditions.

SCM may also share client personal information with, and obtain information about clients from third parties for the reasons already discussed above.

SCM may also disclose a client's information where it has a duty or a right to disclose in terms of applicable legislation, the law, or where it may be deemed necessary in order to protect SCM rights.

1.5 SAFEGUARDING CLIENT INFORMATION

It is a requirement of POPI to adequately protect personal information. SCM will continuously review its security controls and processes to ensure that personal information is secure.

The following procedures are in place in order to protect personal information:

1.5.1 SCM compliance offices are Warren Neale whose details are available below and who is responsible for the compliance with the conditions of the lawful processing of personal information and other provisions of POPI.

1.5.2 THIS POLICY has been put in place throughout SCM and training on this policy and the POPI Act has already taken place and will be conducted during 2020 by SCM.

1.5.3 Each new employee will be required to sign an EMPLOYMENT CONTRACT containing relevant consent clauses for the use and storage of employee information, or any other action so required, in terms of POPI;

1.5.4 Every employee currently employed within the SCM will be required to sign an addendum to their EMPLOYMENT CONTRACTS containing relevant consent clauses for the use and storage of employee information, or any other action so required, in terms of POPI;

1.5.5 SCM archived client information is stored on site which is also governed by POPI, access is limited to these areas to authorized personal.

1.5.6 SCM product suppliers, insurers and other third party service providers will be required to sign a SERVICE LEVEL AGREEMENT guaranteeing their commitment to the Protection of Personal Information; this is however a ongoing process that will be evaluated as needed.

1.5.7 All electronic files or data are backed up and the IT is also responsible for system security that protects third party access and physical threats.

CONSENT to process client information is obtained from clients (or a person who has been given authorisation from the client to provide the client's personal information) during the introductory, appointment and needs analysis stage of the relationship.

1.6 ACCESS AND CORRECTION OF PERSONAL INFORMATION

Clients have the right to access the personal information SCM holds about them. Clients also have the right to ask SCM to update, correct or delete their personal information on reasonable grounds. Once a client objects to the processing of their personal information, SCM may no longer process said personal information. SCM will take all reasonable steps to confirm its clients' identity before providing details of their personal information or making changes to their personal information.

1.6.2 The details of SCM Compliance officer and offices are as follows:

COMPLIANCE OFFICER DETAILS

NAME: Warren Neale

TELEPHONE NUMBER: (082) 923 6260

FAX NUMBER: (086) 663 1472

E-MAIL ADDRESS: warrenn@askaricompliance.com

DIRECTOR DETAILS

NAME: David Eborall

TELEPHONE NUMBER: 011-268-6057

E-MAIL ADDRESS: investors@saltlight.co.za

OFFICE DETAILS

TELEPHONE NUMBER: 011-268-6057

POSTAL ADDRESS: PO BOX 55141 NORTHLANDS 2116

PHYSICAL ADDRESS: UNIT 3, 50 HYDE CLOSE, HYDE PARK

E-MAIL ADDRESS: investors@saltlight.co.za

WEBSITE: www.saltlight.co.za

2. AMENDMENTS TO THIS POLICY

Amendments to, or a review of this Policy, will take place on an *ad hoc* basis or at least once a year. Clients are advised to access SCM website periodically to keep abreast of any changes. Where material changes take place, clients will be notified directly or changes will be stipulated on the SCM website.

3. AVAILABILITY OF THE MANUAL

This manual is made available in terms of Regulation Number R. 187 of 15 February 2002. The manual is available at the offices of the South African Human Rights Commission and shall be published in three of the official languages in the Government Gazette.

4. INFORMATION AS MAY BE PRESCRIBED UNDER SECTION 51(1)(F)

The Minister of Justice and Constitutional Development of the Republic of South Africa has not made any regulations in this regard.

5. INFORMATION REQUIRED IN TERMS OF SECTION 52 (2)

The Minister of Justice and Constitutional Development of the Republic of South Africa has not made any regulations in this regard.

6. RECORDS THAT CANNOT BE FOUND

If SCM searches for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken the attempt to locate the record.

7. THE PRESCRIBED FORMS AND FEES

The prescribed forms and fees are available on the website of the Department of Justice and Constitutional Development at www.doj.gov.za under the regulations section.

B: POLICY ON THE RETENTION & CONFIDENTIALITY OF DOCUMENTS, INFORMATION AND ELECTRONIC TRANSACTIONS

1. PURPOSE

1.1 To exercise effective control over the retention of documents and electronic transactions:

1.1.1 as prescribed by legislation; and

1.1.2 as dictated by business practice.

1.2 Documents need to be retained in order to prove the existence of facts and to exercise rights the Company may have. Documents are also necessary for defending legal action, for establishing what was said or done in relation to business of the Company and to minimize the Company's reputational risks.

1.3 To ensure that the Company's interests are protected and that the Company's and clients' rights to privacy and confidentiality are not breached.

1.4 Queries may be referred to the Branch Manager.

2. SCOPE & DEFINITIONS

2.1 All documents and electronic transactions generated within and/or received by the Company.

2.2 Definitions:

2.2.1 Clients includes, but are not limited to, shareholders, debtors, creditors as well as the affected personnel and/or departments related to a service division of the Company.

2.2.2 Confidential Information refers to all information or data disclosed to or obtained by the Company by any means whatsoever and shall include, but not be limited to:

2.2.1 financial information and records; and

2.2.2 all other information including information relating to the structure, operations, processes, intentions, product information, know-how, trade secrets, market opportunities, customers and business affairs but excluding the exceptions listed in clause 4.1 hereunder.

2.2.3 Constitution: Constitution of the Republic of South Africa Act, 108 of 1996.

2.2.4 Data refers to electronic representations of information in any form.

2.2.5 Documents include books, records, security or accounts and any information that has been stored or recorded electronically, photographically, magnetically, mechanically, electro-mechanically or optically, or in any other form.

2.2.6 ECTA: Electronic Communications and Transactions Act, 25 of 2002.

2.2.7 Electronic communication refers to a communication by means of data messages.

2.2.8 Electronic signature refers to data attached to, incorporated in, or logically associated with other data and which is intended by the user to serve as a signature.

2.2.9 Electronic transactions include e-mails sent and received.

2.2.10 PAIA: Promotion of Access to Information Act, 2 of 2000.

3. ACCESS TO DOCUMENTS

3.1 All Company and client information must be dealt with in the strictest confidence and may only be disclosed, without fear of redress, in the following circumstances (also see clause 4.2 below):

3.1.1 where disclosure is under compulsion of law;

3.1.2 where there is a duty to the public to disclose;

3.1.3 where the interests of the Company require disclosure; and

3.1.4 where disclosure is made with the express or implied consent of the client.

3.2 Disclosure to 3rd parties:

All employees have a duty of confidentiality in relation to the Company and clients. In addition to the provisions of clause 4.1 above, the following are also applicable:

3.2.1 Information on clients: Our clients' right to confidentiality is protected in the Constitution and in terms of ECTA. Information may be given to a 3rd party if the client has consented in writing to that person receiving the information.

3.2.2 Requests for company information:

3.2.2.1 These are dealt with in terms of PAIA, which gives effect to the constitutional right of access to information held by the State or any person (natural and juristic) that is required for the exercise or

protection of rights. Private bodies, like the Company, must however refuse access to records if disclosure would constitute an action for breach of the duty of secrecy owed to a third party.

3.2.2.2 In terms hereof, requests must be made in writing on the prescribed form to the Company Secretary, who is also the Information Officer in terms of PAIA. The requesting party has to state the reason for wanting the information and has to pay a prescribed fee.

3.2.2.3 The Company's manual in terms of PAIA, which contains the prescribed forms and details of prescribed fees, is available on the internet and the website www.SCM.co.za.

3.2.3 Confidential company and/or business information may not be disclosed to third parties as this could constitute industrial espionage. The affairs of the Company must be kept strictly confidential at all times.

3.3 The Company views any contravention of this policy very seriously and employees who are guilty of contravening the policy will be subject to disciplinary procedures, which may lead to the dismissal of any guilty party.

4. STORAGE OF DOCUMENTS

4.1 HARD COPIES

4.1.1 Documents are stored in an archive on site location.

4.1.2 Companies Act, No 71 of 2008 With regard to the Companies Act, No 71 of 2008 and the Companies Amendment Act No 3 of 2011, hardcopies of the documents mentioned below must be retained for 5 years:

- Any documents, accounts, books, writing, records or other information that a company is required to keep in terms of the Act; - Notice and minutes of all shareholders meeting, including resolutions adopted and

documents made available to holders of securities;

- Copies of reports presented at the annual general meeting of the company;

- Copies of annual financial statements required by the Act;

- Copies of accounting records as required by the Act;

- Record of directors and past directors, after the director has retired from the company;

- Written communication to holders of securities and

- Minutes and resolutions of directors' meetings, audit committee and directors' committees.

Copies of the documents mentioned below must be retained indefinitely:

- Registration certificate ;

- Memorandum of Incorporation and alterations and amendments;

- Rules;

- Securities register and uncertified securities register;

- Register of company secretary and auditors and

- Regulated companies (companies to which chapter 5, part B, C and Takeover Regulations apply) – Register of disclosure of person who holds beneficial interest equal to or in excess of 5% of the securities

of that class issued.

4.1.3 Consumer Protection Act, No 68 of 2008

The Consumer Protection Act seeks to promote a fair, accessible and sustainable marketplace and therefore requires a retention period of 3 years for information provided to a consumer by an intermediary such as:

- Full names, physical address, postal address and contact details;
- ID number and registration number;
- Contact details of public officer in case of a juristic person;
- Service rendered;
- Intermediary fee;
- Cost to be recovered from the consumer;
- Frequency of accounting to the consumer;
- Amounts, sums, values, charges, fees, remuneration specified in monetary terms;
- Disclosure in writing of a conflict of interest by the intermediary in relevance to goods or service to be provided;
- Record of advice furnished to the consumer reflecting the basis on which the advice was given;
- Written instruction sent by the intermediary to the consumer ;
- Conducting a promotional competition refer to Section 36(11)(b) and Regulation 11 of Promotional Competitions;
- Documents Section 45 and Regulation 31 for Auctions.

4.1.4 Financial Advisory and Intermediary Services Act, No 37 of 2002:

Section 18 of the Act requires a retention period of 5 years, except to the extent that it is exempted by the registrar for the below mentioned documents:

- Known premature cancellations of transactions or financial products of the provider by clients;
- Complaints received together with an indication whether or not any such complaint has been resolved;
- The continued compliance with this Act and the reasons for such noncompliance;
- And the continued compliance by representatives with the requirements referred to in section 13(1) and (2).

The General Code of Conduct for Authorized Financial Services Provider and Representatives requires a retention period of 5 years for the below mentioned documents:

- Proper procedures to record verbal and written communications relating to a financial service rendered to a client as are contemplated in the Act, this Code or any other Code drafted in terms of section 15 of the Act;
- Store and retrieve such records and any other material documentation relating to the client or financial services rendered to the client;
- And keep such client records and documentation safe from destruction;
- All such records must be kept for a period after termination to the knowledge of the provider of the product concerned or in any other case after the rendering of the financial service concerned.

4.1.5 Financial Intelligence Centre Act, No 38 of 2001:

Section 22 and 23 of the Act require a retention period of 5 years for the documents and records of the activities mentioned below:

- Whenever an accountable transaction is concluded with a client, the institution must keep record of the identity of the client;
- If the client is acting on behalf of another person, the identity of the person on whose behalf the client is acting and the clients authority to act on behalf of that other person;
- If another person is acting on behalf of the client, the identity of that person and that other person's authority to act on behalf of the client;
- The manner in which the identity of the persons referred to above was established;
- The nature of that business relationship or transaction;
- In the case of a transaction, the amount involved and the parties to that transaction;
- All accounts that are involved in the transactions concluded by that accountable institution in the course of that business relationship and that single transaction;
- The name of the person who obtained the identity of the person transacting on behalf of the accountable institution;
- Any document or copy of a document obtained by the accountable institution.

These documents may also be kept in electronic format.

4.1.6 Compensation for Occupational Injuries and Diseases Act, No 130 of 1993:

Section 81(1) and (2) of the Compensation for Occupational Injuries and Diseases Act requires a retention period of 4 years for the documents mentioned below:

- Register, record or reproduction of the earnings, time worked, payment for piece work and overtime and other prescribed particulars of all the employees.

Section 20(2) documents with a required retention period of 3 years:

- Health and safety committee recommendations made to an employer in terms of issues affecting the health of employees and of any report made to an inspector in terms of the recommendation;

- Records of incidents reported at work.

4.1.7 Basic Conditions of Employment Act, No 75 of 1997:

The Basic Conditions of Employment Act requires a retention period of 3 years for the documents mentioned below:

Section 29(4): - Written particulars of an employee after termination of employment;

Section 31: - Employee's name and occupation;

- Time worked by each employee;

- Remuneration paid to each employee;

- Date of birth of any employee under the age of 18 years.

4.1.8 Employment Equity Act, No 55 of 1998:

Section 26 and the General Administrative Regulations, 2009, Regulation 3(2) requires a retention period of 3 years for the documents mentioned below:

- Records in respect of the company's workforce, employment equity plan and other records relevant to compliance with the Act;

Section 21 and Regulations 4(10) and (11) require a retention period of 3 years for the report which is sent to the Director General as indicated in the Act.

4.1.9 Labour Relations Act, No 66 of 1995:

4.1.10 Sections 53(4), 98(4) and 99 require a retention period of 3 years for the documents mentioned below:

- The Bargaining Council must retain books of account, supporting vouchers, income and expenditure statements, balance sheets, auditor's reports and minutes of the meetings;

- Registered Trade Unions and registered employer's organizations must retain books of account, supporting vouchers, records of subscriptions or levies paid by its members, income and expenditure statements, balance sheets, auditor's reports and minutes of the meetings;

- Registered Trade Unions and employer's organizations must retain the ballot papers;

- Records to be retained by the employer are the collective agreements and arbitration awards.

Sections 99, 205(3), Schedule 8 of Section 5 and Schedule 3 of Section 8(a) require an indefinite retention period for the documents mentioned below:

- Registered Trade Unions and registered employer's organizations must retain a list of its members;
- An employer must retain prescribed details of any strike, lock-out or protest action involving its employees;
- Records of each employee specifying the nature of any disciplinary transgressions, the actions taken by the employer and the reasons for the actions;
- The Commission must retain books of accounts, records of income and expenditure, assets and liabilities.

4.1.11 Unemployment Insurance Act, No 63 of 2002:

The Unemployment Insurance Act, applies to all employees and employers except:

- Workers working less than 24 hours per month;
- Learners;
- Public servants;
- Foreigners working on a contract basis;
- Workers who get a monthly State (old age) pension;
- Workers who only earn commission.

Section 56(2)(c) requires a retention period of 5 years, from the date of submission, for the documents mentioned below:

- Employers must retain personal records of each of their current employees in terms of their names, identification number, monthly remuneration and address where the employee is employed.

4.1.13 Tax Administration Act, No 28 of 2011:

Section 29 of the Tax Administration Act, states that records of documents must be retained to:

- Enable a person to observe the requirements of the Act;
- Are specifically required under a Tax Act by the Commissioner by the public notice;
- Will enable SARS to be satisfied that the person has observed these requirements.

Section 29(3)(a) requires a retention period of 5 years, from the date of submission for taxpayers that have submitted a return and an indefinite retention period, until the return is submitted, then a 5 year period applies for taxpayers who were meant to submit a return, but have not.

Section 29(3)(b) requires a retention period of 5 years from the end of the relevant tax period for taxpayers who were not required to submit a return, but had capital gains/losses or engaged in any other activity that is subject to tax or would be subject to tax but for the application of a threshold or exemption.

Section 32(a) and (b) require a retention period of 5 years but records must be retained until the audit is concluded or the assessment or decision becomes final, for documents indicating that a person has been notified or is aware that the records are subject to an audit or investigation and the person who has lodged an objection or appeal against an assessment or decision under the TAA.

4.1.14 Income Tax Act, No 58 of 1962:

Schedule 4, paragraph 14(1)(a)-(d) of the Income Tax Act requires a retention period of 5 years from the date of submission for documents pertaining to each employee that the

employer shall keep:

- Amount of remuneration paid or due by him to the employee;
- The amount of employees tax deducted or withheld from the remuneration paid or due;
- The income tax reference number of that employee;
- Any further prescribed information;
- Employer Reconciliation return.

Schedule 6, paragraph 14(a)-(d) requires a retention period of 5 years from the date of submission or 5 years from the end of the relevant tax year, depending on the type of

transaction for documents pertaining to:

- Amounts received by that registered micro business during a year of assessment;
- Dividends declared by that registered micro business during a year of assessment;
- Each asset as at the end of a year of assessment with cost price of more than R 10 000;
- Each liability as at the end of a year of assessment that exceeded R 10 000.

4.1.15 Value Added Tax Act, No 89 of 1991:

Section 15(9), 16(2) and 55(1)(a) of the Value Added Tax Act and Interpretation Note 31, 30 March requires a retention period of 5 years from the date of submission of the return

for the documents mentioned below:

- Where a vendor's basis of accounting is changed the vendor shall prepare lists of debtors and creditors showing the amounts owing to the creditors at the end of the tax period immediately preceding the changeover period;
- Importation of goods, bill of entry, other documents prescribed by the Custom and Excise Act and proof that the VAT charge has been paid to SARS;
- Vendors are obliged to retain records of all goods and services, rate of tax applicable to the supply, list of suppliers or agents, invoices and tax invoices, credit and debit notes, bank statements, deposit slips, stock lists and paid cheques;

- Documentary proof substantiating the zero rating of supplies;
- Where a tax invoice, credit or debit note, has been issued in relation to a supply by an agent or a bill of entry as described in the Customs and Excise Act, the agent shall maintain sufficient records to enable the name, address and VAT registration number of the principal to be ascertained

4.2 ELECTRONIC STORAGE

4.2.1 The internal procedure requires that electronic storage of information:

important documents and information must be referred to and discussed with IT who will arrange for the indexing, storage and retrieval thereof.

This will be done in conjunction with the departments concerned.

4.2.2 Scanned documents: If documents are scanned, the hard copy must be retained for as long as the information is used or for 1 year after the date of scanning, with the exception of documents pertaining to personnel. Any document containing information on the written particulars of an employee, including: employee's name and occupation, time worked by each employee, remuneration and date of birth of an employee under the age of 18 years; must be retained for a period of 3 years after termination of employment.

4.2.3 Section 51 of the Electronic Communications Act No 25 of 2005 requires that personal information and the purpose for which the data was collected must be kept by the person who electronically requests, collects, collates, processes or stores the information and a record of any third party to whom the information was disclosed must be retained for a period of 1 year or for as long as the information is used.

It is also required that all personal information which has become obsolete must be destroyed.

5. DESTRUCTION OF DOCUMENTS

5.1 Documents may be destroyed after the termination of the retention period. Registration will request departments to attend to the destruction of their documents and these requests shall be attended to as soon as possible.

5.2 Each department is responsible for attending to the destruction of its documents, which must be done on a regular basis. Files must be checked in order to make sure that they may be destroyed and also to ascertain if there are important original documents in the file. Original documents must be returned to the holder thereof, failing which, they should be retained by the Company pending such return.

5.3 After completion of the process in 6.2 above, the General Manager of the department shall, in writing, authorise the removal and destruction of the documents in the authorisation document. These records will be retained by Registration.

5.4 The documents are then made available for collection by the removers of the Company's documents, who also ensure that the documents are shredded before disposal. This also helps to ensure confidentiality of information.

5.5 Documents may also be stored off-site, in storage facilities approved by the Company.