



Code of Conduct: Confidentiality of Information and Privacy Clause

1. DEFINITIONS

- 1.1. **“Confidential Information”** means any confidential or proprietary information of any nature including, without limitation, any technical, commercial, financial information, know-how, trade secrets, processes, machinery, designs, drawings, technical specifications, and data in whatever form, disclosed to or accessed by the employee at any time pursuant to his / her employment relationship with the Organisation;
- 1.2. **“Data Subject”** has the meaning ascribed to it in POPIA;
- 1.3. **“Juristic Person”** means any juristic person of whatever nature including a body corporate, association, organisation, close corporation, trust or partnership (whether or not having separate legal personality);
- 1.4. **“Personal Information”** has the meaning ascribed to it in POPIA;
- 1.5. **“POPIA”** means the Protection of Personal Information Act 4 of 2013, as amended from time to time, together with all regulations promulgated under such legislation; and
- 1.6. **“Third Party”** means any natural person, or Juristic Person other than the Organisation.

2. CONFIDENTIALITY OF INFORMATION

- 2.1. Employees hereby agree and undertake that they will not, during or after the course of their relationship with the Organisation disclose any Confidential Information; and / or Personal Information pertaining to any Data Subject disclosed or accessed by the Employee pursuant to his / her employment with the Organisation, to any Third Party for any reason or purpose whatsoever, without the prior written consent of the Organisation.
- 2.2. To maintain confidentiality of information, Employees must:
 - 2.2.1. refrain from disclosing any Confidential Information belonging to the Organisation;
 - 2.2.2. refrain from disclosing any sensitive information pertaining to customers of the Organisation without prior written authorisation from the customer in question;
 - 2.2.3. avoid discussing Confidential Information in any contact with competitors of the Organisation;
 - 2.2.4. maintain the confidentiality of information received from any Third Party including, without limitation, suppliers or vendors of the Organisation, for the duration of their employment with the Organisation;
 - 2.2.5. refrain from disclosing employee information that the Organisation is legally required to record and hold, unless obliged to do so for legal reasons; and
 - 2.2.6. refrain from disclosing any information relating to other employees of the Organisation to any Third Party personnel, including, without limitation, employee salaries, medical status or personal circumstances.
- 2.3. Employees are required to ensure that any information which they obtain by reason of their employment with the Organisation is not misused. In order to protect such information, employees are required to:
 - 2.3.1. ensure that such information is properly safeguarded;
 - 2.3.2. exercise due care in communicating such information; and
 - 2.3.3. avoid using such information for personal gain.

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