

Title: Third-party data processing policy

Original Release Date: 27 September 2023

Effective Date: 27 September 2023

Policy Owner: Annelene Dippenaar



1. SUMMARY

- 1.1.** This Policy prescribes the principles and standards which Shop2Shop (Pty) Ltd (includes all associated companies in the group of companies) ("**Shop2Shop**") require third parties to adhere to when processing Personal Information sent to, or obtained from, Shop2Shop whether directly or indirectly, in order to comply with Protection of Personal Information Act, 2013 ("**POPIA**") and ensure that a Data Subject's right to privacy is not infringed.
- 1.2.** All third parties submitting Personal Information to Shop2Shop, processing Personal Information on behalf of Shop2Shop, processing Personal Information when accessing Shop2Shop's products and services or who receives Personal Information from Shop2Shop, must comply with the POPIA.
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2. SCOPE

- 2.1.** This Policy applies to all third parties who (i) access Personal Information from Shop2Shop, whether directly or indirectly (i.e. through service providers, suppliers, partners etc.); (ii) who provides Personal Information to Shop2Shop (whether directly or indirectly); who (iii) process Personal Information on Shop2Shop's behalf or who (iv) process Personal Information when they access Shop2Shop's products and services ("**Third Parties**").
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3. BACKGROUND

- 3.1.** With its core business being that of a financial technology company, Shop2Shop Processes Personal Information of both individuals and companies in line with POPIA and Shop2Shop is committed to complying with POPIA and the conditions for the lawful Processing of Personal Information. Shop2Shop is registered as a third-party payment processor with the Payments Association of South Africa and registered as a payment facilitator with the various card schemes. As a financial technology service provider, Shop2Shop operates in a highly regulated environment and is therefore subject to rigorous rules and regulations and legislation.
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“Consent” means the Data Subject agrees by a statement or positive action to the Processing of his or her Personal Information by a clear affirmative act that is freely given, specific, informed, and unambiguous.

“Data Protection Law” means any data protection or data privacy laws applicable in South Africa from time to time, including but not limited to the Protection of Personal Information Act 4 of 2013, the Promotion of Access to Information Act, 2 of 2000, the Electronic Communications and Transactions Act 25 of 2002, the Consumer Protection Act 68 of 2008 and Mastercard Rules (including the Visa equivalent), together with the Regulations thereto.

“Data Subject” refers to the person to whom Personal Information relates.

“Personal Information” refers to any other information which may be treated or defined as "Personal Information" in terms of any applicable laws, including Data Protection Law.

“Personal Information Incident” means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Information transmitted, stored or otherwise processed.

“Processing” means to collect, receive, record, organise, collate, store, develop, retrieve, consult, use, disseminate or perform any other act or action, including any other act or action which may be treated or defined as "process" or "processing" in terms of any applicable laws (including Data Protection Law). The word "processed" shall have a corresponding meaning.

“Responsible Party” also known as a “controller”, refers to the party that determines the purposes and the means for Processing Personal Information i.e. determines how to collect, store, and use the Personal Information.

“Shop2Shop Data” means any data, including Personal Information, supplied to the Third Party or its personnel by or on Shop2Shop’s behalf or an affiliated company of Shop2shop, or Processed by or on behalf of Shop2Shop or an affiliate of Shop2Shop or its personnel where Shop2Shop is the Responsible Party in relation of that data.

“Special Personal Information” refers to categories of sensitive Personal Information, such as information regarding a person’s health or sex life, racial or ethnic origin, religious or philosophical beliefs, sexual orientation, criminal behaviour or trade union membership and biometric information. Special Personal Information require higher levels of protection. Shop2Shop will only Process Special Personal Information when it has a clear legal justification for processing this type of Personal Information. Shop2Shop has implemented appropriate policies and safeguards to ensure it applies the strictest privacy standards when it Processes Special Personal Information.

“**Third Party**” refers a third party who provides Personal Information to Shop2Shop, submits Personal Information to Shop2Shop, who processes Personal Information on behalf of Shop2Shop, or who accesses Shop2Shop systems and can then obtain access to Personal Information, whether directly or indirectly. This includes clients, vendors, service providers, partners, sub-agents and end-users of partners (including the Third Parties of partners).

“**Third Party Information**” means, collectively, all Personal Information provided to Shop2Shop by the Third Party or otherwise pertaining or relating to the Third Party.

REGULATORY FRAMEWORK:

LEGISLATIVE FRAMEWORK

Protection of Personal Information Act 4 of 2013 and its Regulations

Electronic Communications and Transactions Act 25 of 2002

Consumer Protection Act 68 of 2008

Mastercard Rules

Mastercard Security Rules and Procedures

Visa Core Rules and Visa Product and Service Rules

INTERNAL POLICIES

Privacy Policy

Third Party Information Management Policy

Information Security Policy

5.1. Data Protection

5.1.1. The Third Party must make sure that:

- 5.1.1.1. When it shares information, data, including Personal Information, with Shop2Shop or requests data, it follows Data Protection Law rules. It should also get the necessary permissions as required by laws like POPIA. This is needed for lawful sharing of information with Shop2Shop.
- 5.1.1.2. It gets the right permissions from individuals and any relevant regulators or third parties for any Personal Information it has. This is especially important for Special Personal Information and children's information.
- 5.1.1.3. It doesn't ask Shop2Shop to deal with Special Personal Information.
- 5.1.1.4. It only uses Personal Information according to the agreement between the parties and for lawful purposes.
- 5.1.1.5. Its staff only access and use Personal Information from Shop2Shop as agreed and keep it confidential.
- 5.1.1.6. It doesn't send Personal Information outside South Africa unless Shop2Shop agrees and follows POPIA rules for cross-border transfers.
- 5.1.1.7. It follows industry codes of conduct.
- 5.1.1.8. It uses proper security measures for Personal Information, following industry best practices.
- 5.1.1.9. It doesn't do anything that would make Shop2Shop break the law, including Data Protection Law.
- 5.1.1.10. It keeps Shop2Shop Data confidential.
- 5.1.1.11. It strictly follows Shop2Shop's policies and procedures for protecting, handling, and deleting Personal Information shared with the Third Party.

5.1.2. The Third Party can only use Shop2Shop Data:

- 5.1.2.1. For the specific purposes agreed upon in the contract between Shop2Shop and the Third Party.
- 5.1.2.2. If required or allowed by the law, including Data Protection Law.
- 5.1.2.3. With written consent from Shop2Shop.

5.2. Security safeguards

5.2.1. The Third Party must use reasonable technical and organizational measures to protect Personal Information from:

- 5.2.1.1. Loss, damage, or unauthorized destruction.
- 5.2.1.2. Unauthorized access or processing.
- 5.2.1.3. Accidental loss or damage, following POPIA requirements.
- 5.2.1.4. Protecting the security and confidentiality of Personal Information.
- 5.2.1.5. Protecting against expected security threats.

- 5.2.1.6. Protecting against unauthorized access that could harm Shop2Shop or individuals.
- 5.2.2. The Third Party and its employees must follow Shop2Shop's information security policies and the law.
- 5.2.3. The Third Party must maintain strong encryption for Personal Information.
- 5.2.4. The Third Party can't access Personal Information on personal devices, and all hardware must be encrypted.
- 5.2.5. The Third Party's internet connections must have industry-standard firewalls.
- 5.2.6. The Third Party must have an incident response plan to protect Personal Information in case of Personal Information Incidents.
- 5.2.7. The Third Party must follow data retention and destruction policies in line with industry standards.
- 5.2.8. The Third Party must implement fraud detection and prevention measures and have a business continuity plan.
- 5.2.9. Personal Information received from Shop2Shop must be securely stored, and cloud storage outside South Africa needs Shop2Shop's consent.
- 5.2.10. Only employees who need access should have it, and their login details must be kept confidential and removed when they leave the Third Party.
- 5.2.11. The Third Party must train its personnel regularly on data security and confidentiality.
- 5.2.12. Physical access to areas where Personal Information is stored must be limited.
- 5.2.13. If the Third Party suspects a Personal Information Incidents, it must:
 - 5.2.13.1. Notify Shop2Shop within 12 hours by email.
 - 5.2.13.2. Investigate the Personal Information Incident and provide details to Shop2Shop.
 - 5.2.13.3. Take steps to limit the Personal Information Incident and help Shop2Shop meet regulatory requirements.
 - 5.2.13.4. Assist Shop2Shop in responding to data subject requests.

5.3. Compliance assessments

- 5.3.1. Shop2Shop may conduct compliance and security risk assessments during business hours with prior notice.
- 5.3.2. The Third Party must fix any issues found during assessments that could negatively impact Personal Information.
- 5.3.3. Shop2Shop may require the Third Party's assistance in regulatory or security audits, subject to confidentiality agreements.
- 5.3.4. For questions related to this policy, contact informationofficer@shop2shop.co.za.

REVISION

This policy and procedure is subject to an annual review to be initiated and monitored by the Policy Owner.

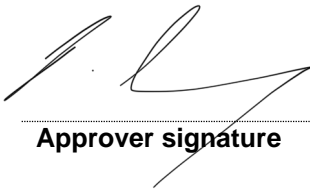
Annual review date:	September
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Version	Review date	Effective Date	Description of changes
1		27 September 2023	Original Release

APPROVAL

This version of the policy and procedure was drafted by the Author, reviewed and recommended for approval by the Policy Owner and by the Approver as stated below.

Stakeholder	Details	Date
Annelene Dippenaar	Policy Owner	27 September 2023
Peter Berry	Approver	27 September 2023



27 September 2023

Approver signature

Approval date