**Protection of Personal Information and Corporate Information Policy (POPI)**

1. **PURPOSE**

Atlas Copco South Africa (Pty) Ltd is committed to protecting the privacy of the information which it gathers in the course of conducting business.

This policy establishes how Atlas Copco South Africa (Pty) Ltd obtains, uses, stores, discloses and destroys personal and corporate information which is a requirement of the Protection of Personal Information Act.  **\*(POPI)**

2. **WHAT INFORMATION IS PROTECTED**

For the purpose of this policy, “Information” means information, in whichever form (Such information includes but is not limited to: electronic and paper based documentation or files) pertaining to an identified or identifiable person, either directly or indirectly and shall include the natural and juristic persons “Person/s”.

\*Natural Person;*is a living, breathing human being.*

\*Juristic Person; is a company, a close corporation, a body corporate or a trust.

3. **ATLAS COPCO SOUTH AFRICA (PTY) LTD**

Reference to “Company”, in this policy means “Atlas Copco South Africa (Pty) Ltd.

4. **SCOPE**

This policy applies to all staff employed by Atlas Copco South Africa (Pty) Ltd.

The “Company” will endeavour to include appropriate wording for the protection of the information in its contracts with employees; suppliers; agents and subcontractors; with whom it conducts business and with whom the information may be shared with, in the course and scope of conducting business.

5. **KEY PRINCIPLES**

The “Company” subscribes the following key principles in respect of information;

1. Ensure compliance with all legal and regulatory requirements with regards to the processing of information;
2. To ensure compliance in line with the guidelines outlined in “The Way We Do Things” by safeguarding all Group and Corporate information;
3. To Collect and process Information lawfully in accordance with conducting business;
4. To inform Person/s when information is gathered where the law requires the collection thereof.

e. To obtain consent from Person/s prior to the collection of information where the law requires collection thereof.

f. To endeavour to ensure that the collection and processing of Information is accurate, reliable and up to date for the purpose of conducting business.

g. To ensure that reasonable security measures are in place and maintained, to safeguard against unauthorised access, destruction, use or disclosure of the Information.

h. To endeavour to provide Person/s with access to their Information and comply with requests to amend, update, correct or delete information.

6. **HOW DO WE COLLECT INFORMATION**

The “Company” collects Information when a Person/s provide their Information to Atlas Copco South Africa (Pty) Ltd;

When they apply for an advertised vacancy within Atlas Copco South Africa (Pty) Ltd;

1. When they become an employee of Atlas Copco South Africa (Pty) Ltd.
2. When they purchase a product or service;
3. When they make an enquiry about services or products on the Atlas Copco South Africa (Pty) Ltd website.  (The latter information is collected and stored in “cookies”).

e. When they visit our premises, or branches.

7. **WHY DO WE COLLECT INFORMATION AND WHAT DO WE USE IT FOR?**

The “Company” collects the Information to enable us to act as an employer (“Business Purposes”), provide a service or a product to a customer, for vendor applications, debt recovery, auditing and record keeping purposes and statistical purposes, for regulatory compliance and/or legal proceedings.

The “Company” only uses the Information for the above Business Purpose.

8. **WHEN DO WE DISCLOSE THE INFORMATION?**

The “Company” may disclose the Information within its group of companies and to its sub-contractors, service providers, agents and professional advisors who are expressly involved in the provision of services to the employee or client.

However, the ”Company” undertakes to put contractual provisions in place with the above mentioned parties in order to protect the Information disclosed to subcontractors; service providers; agents and professional advisors.

The “Company” may also disclose the Information where it has a legal or regulatory obligation to do so and where the “Company” believes it necessary in order to protect its rights.

9. **DISCIPLINARY PROCEDURES IF THIS POLICY IS BREACHED**

1. This policy forms part of a suite of policies and procedures put in place for all Atlas Copco South Africa (Pty) Ltd staff and is accessible to all of them through the Atlas Copco South Africa (Pty) Ltd SharePoint portal / Human Resources Guide.
2. Employees on joining the “Company” will be presented with the company’s standard engagement pack.  The employee’s signature of the standard engagement pack, as amended from time to time, and indicates the employee’s acceptance of the policies and procedures set out therein, and appropriate action will be taken against the employee should he/she fail to comply with the company’s rules and policies.
3. Any breach of this policy or any other policy is therefore a breach of the employment contract and will dealt with in accordance with the Atlas Copco South Africa (Pty) Ltd disciplinary procedure and be governed by the law of the Republic of South Africa, which is applicable to agreements executed and wholly performed with the Republic of South Africa.

d) Each employee’s contract of employment contains a clause whereby they are obligated to keep confidential, any information which he/she gains during their employment with the “Company”, and ensure that such information is not used against, or shared with any individual or organisation without the express permission of the individual or management of Atlas Copco South Africa (Pty) Ltd, unless it is an inherent part of the employees role within the organization.

10. **HOW DO WE PROTECT THE INFORMATION ONCE GATHERED**

Atlas Copco South Africa (Pty) Ltd has implemented appropriate technical and security measures to protect your personal information such as; encryption, firewalls, password protection and other similar procedures in order to prevent a breach of any kind, such measures shall be constantly maintained in order to keep abreast of technology.  Should such measures be breached, the “Company” constitutes this as a “major incident” in terms of its IT Policy.

11. **ISO STANDARDS RELATED TO CONTROL OF DOCUMENTATION AND RECORDS**

Atlas Copco South Africa (Pty) Ltd and applicable Divisions’ documented information as required for the effectiveness of the Certified IMS / SHEQ Management System’s shall not only comply with this “POPI” Policy but also to the relevant sections of the ISO Standards related to creating, updating and control of all documentation (Refer to Section 7.5 of ISO 9001 & 14001:2015 and Sections 4.4.4 & 4.4.5 of OHSAS 18001:2007).

12. **REQUEST A COPY OR UPDATE THE INFORMATION**

The person responsible for the protection of corporate and personal information for the “Company” is the Information Officer, together with the Group Human Resources Manager.

Person/s may request a copy of Information which the “Company” holds, by contacting the following number:

011 821 9000 - Information Officer or Group Human Resources Manager

a) Person/s may also request their Information to be updated, corrected or deleted by contacting the “Company” on the above number and any requests for corrections or deletions required will be responded to within 72 hours.

b) Person/s requesting such Information will be required by the “Company” to comply with the Atlas Copco South Africa (Pty) Ltd Access to information Manual, which is in line with;

* \****“Promotion of Access to Information Act” No.2 of 2000 (PAIA)*** as well as with any legal requirements in line with;
* \****“Protection of Personal Information Act”, No. 4 of 2013 (POPI)***

To access the requirements in order to obtain such information you may use the following reference points available on;

Human Resources is available to all employees via SharePoint

13. ***Reference to Acts:***

\****POPI*** *means:* ***“Protection of Personal Information Act”, No. 4 of 2013***

\****PAIA*** means: ***“Promotion of Access to Information Act” No.2 of 2000***

**ACKNOWLEDGEMENT**

*(Copy to be retained by Employee)*

**ATLAS COPCO SOUTH AFRICA (PTY) LTD**

**Protection of Personal Information Act (POPI) and Promotion of Access to Information Act (PAIA)**

**(New Release September 2016)**

I, (Full Names as per I.D.) ……………………………………………………………………………………………………………………………………………………

…………………………………………………………………………………………………………………………….

(Identity Number)…………………………………………………………………………………………………………………… having read, fully understood and accepted the contents of this policy, undertake to observe the Company Rules and Regulations in order to comply with the above mentioned legislated Acts.  I hereby acknowledge and authorise Atlas Copco South Africa (Pty) Ltd to use my “Personal Information” in order to act as an employer and conduct business \*(Business Purposes).

I also agree not to disclose any Information of a personal or corporate nature to any unauthorised individual, failure to observe these rules will result in a disciplinary process being initiated.

**SIGNATURE: ............................................................       DATE: ...........…………………..**

**Attachments:**

**References:**

**External References:**

**Reg nr:**

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