Code of Conduct in terms of POPIA and Section 69(1) of the Electronic Communications and Transactions Act, 2005

1. Introduction

Datonet (Pty) Ltd ("Datonet") recognises the importance of protecting the constitutional right to privacy, which includes the right to protection against the unlawful collection, retention, dissemination, and use of personal information.

This Code of Conduct is adopted in compliance with the **Protection of Personal Information Act, 2013 (Act No. 4 of 2013) ("POPIA")** and the **Electronic Communications and Transactions Act, 2005 (Act No. 36 of 2005) ("ECTA")**, with specific reference to Section 69(1) thereof.

The objective of this Code is to establish the standards by which Datonet shall lawfully collect, process, store, communicate, and protect personal information, as well as regulate the manner in which Datonet engages in electronic communications with data subjects.

2. Application

This Code of Conduct applies to all employees, directors, contractors, service providers, and business partners of Datonet who, in the course of their duties, access, process, or manage personal information on behalf of Datonet.

3. Compliance with POPIA

Datonet undertakes to comply with the eight conditions for lawful processing of personal information, namely:

1. **Accountability** – Datonet accepts full responsibility for compliance with POPIA and shall implement appropriate measures to give effect to its provisions.

2. **Processing Limitation** – Personal information shall only be collected lawfully, directly from the data subject where practicable, and limited to the minimum necessary to achieve the intended purpose.

3. **Purpose Specification** – Personal information shall be collected for explicit, defined, and lawful purposes and shall not be retained for longer than necessary.

4. **Further Processing Limitation** – Further processing of personal information shall be compatible with the original purpose of collection.

5. **Information Quality** – Reasonable steps shall be taken to ensure that personal information is complete, accurate, current, and not misleading.

6. **Openness** – Datonet shall maintain documentation of all processing operations and ensure that data subjects are notified, where required, of the collection of their personal information.

7. **Security Safeguards** – Appropriate technical and organisational measures shall be implemented to secure the integrity and confidentiality of personal information against loss, damage, or unauthorised access or disclosure.

8. **Data Subject Participation** – Data subjects shall be entitled to access their personal information and request corrections, updates, or deletion thereof in accordance with POPIA.

4. Direct Marketing and Electronic Communications

Datonet acknowledges and undertakes to comply fully with **Section 69(1) of ECTA**, which provides that:

- No person may send unsolicited commercial communications to any recipient without the recipient's prior consent.

- Datonet shall obtain such prior consent (opt-in) from the data subject before transmitting direct marketing communications by means of electronic mail, SMS, telephone, or any automated calling system.

- Datonet may only send direct marketing communications to an existing customer where:

    - the customer's contact details were obtained in the context of a prior sale of a product or service;

    - such communication relates to Datonet's own similar products or services; and

    - the customer is afforded a reasonable opportunity to object, free of charge and without unnecessary formality, to the use of their details for such purposes.

- All electronic communications distributed by Datonet shall:

    - clearly identify Datonet as the sender;

    - include accurate Datonet contact details; and

    - provide a simple, accessible, and free opt-out mechanism.

5. Duties and Responsibilities

- **Management** shall ensure that adequate policies, procedures, and controls are implemented to give effect to this Code.

- **Employees, contractors, and service providers** are required to act in accordance with this Code and the obligations imposed by POPIA and ECTA.

- **Breaches** of this Code may result in disciplinary action, termination of contracts, and, where appropriate, reporting to the Information Regulator or other competent authority.

6. Enforcement and Review

This Code of Conduct shall be:

- Reviewed annually or whenever legislative or regulatory changes require an update;

- Communicated to all staff and stakeholders of Datonet; and

- Made available to the Information Regulator and data subjects upon request.

7. Commitment

Datonet (Pty) Ltd reaffirms its commitment to ensuring that personal information is processed lawfully and responsibly, and that all electronic communications are conducted in accordance with the applicable legislative framework.