



SOUTH AFRICAN TOURISM

PART C: TENDER EVALUATION PROCESS (TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR DISASTER RECOVERY PLAN AT SOUTH AFRICAN TOURISM (SAT), FOR A PERIOD OF 36 MONTHS.

Table 1: Summary of the Evaluation Phases (table below):

Phase 1: Evaluation Requirements

Without limiting the generality of South African Tourism's other critical requirements for this Bid, the bidder(s) must submit all required documents.

All documents must be completed and signed by the duly authorised representative of the prospective bidder(s). During this phase, bidders' responses will be evaluated based on compliance with the listed administrative and mandatory bid requirements. Unless stipulated otherwise, the bidder(s) proposal will be disqualified for the non-submission of the required documents.

Phase 1 Administrative and Mandatory and bid requirements	Phase 2 Desktop Functional Technical Evaluation and Site Inspection	Phase 3 Price and Preference points (Specific goals) Evaluation
Service providers' responses will be evaluated based on compliance with the listed administrative and mandatory bid requirements.	Service provider (s) are required to achieve a minimum threshold of 70 points to proceed to Phase 3. The Tender/Evaluation Matrix Cross Reference: Service providers should reference the criteria to the portfolio of evidence in the bid proposal. – It is of vital importance that systematic scoring can be carried out.	The tender will be evaluated on the 80/20 preference points system (specific goals) based on the tender below R50 million. The highest-scoring bidder will be appointed on price and

Table 2: Administrative and Mandatory Requirements

The document that must be submitted	YES/NO	Non-submission will result in disqualification.
Confirmation of valid Tax Status		
Annexure A-Invitation (SBD 1)		
Annexure D-Declaration of Interest - SBD 4)		
Valid Insurance certificate that covers equipment hosted in your data center. To be included in the mandatory requirements in phase one		
Showcase relevant certification for ISO22301		

Phase 2: Technical Evaluation Criteria = Weighting out of 100 %

All bidders are required to respond to the technical evaluation criteria scorecard and provide information/portfolio of evidence that they unconditionally hold the available capacity, ability, experience, and qualified staff to provide the requisite business requirements to South African Tourism under this tender.

Table 3: Phase 2 Desktop Technical Functional Evaluation**3.1. Evaluation Criteria:**

100%	Percentage points allocated for FUNCTIONALITY		
70%	Lowest acceptable % for FUNCTIONALITY - Tenderers with less than this score will be eliminated		
Deliverables / Performance Indicators			
Please refer to the detailed evaluation pointers under the scope of work shared above.		Value allocated	Reference page in submission
BIDDERS RELEVANT EXPERIENCE			
The bidder must have a solid track record of at least three (3) years or more experience in the provision of services relating to Disaster Recovery. The bidder must provide reference letters from clients with similar services for Disaster Recovery Services. The reference letters must be on the company letterhead and include the company name, contact name, address, phone number, duration of the contract and value of services, and a brief description of the services that the bidder has provided. NB: South African Tourism may contact the referees for completeness 1 = at least 3 years’ experience, 3 reference letters in the Disaster Recovery Services Field 2 = 4 to 5 years of experience, 4 reference letters in the Disaster Recovery Services Field 3 = 6 or more years’ experience, 5 or more reference letters in the Disaster Recovery Services Field 0 (0) = none scoring will be evaluated as follows: - No submission/irrelevant experience/less than three (3) years - Less than three (3) contactable references; - No indication of years of experience on a provided list of past or existing experience. - Submission of appointment letters/purchase orders/contracts or email instead of reference letters.		20	
WORK AREA RECOVERY ACCOMMODATION FOR 10 MEMBERS INCLUDING:			
1. Individual Desk and Chair 2. PC Workstation* 3. LAN and WAN connectivity 4. Internet Connectivity 5. Document Printing 6. Telephone 7. Secure Parking 8. Secured Building access *Note, all users do have notebooks assigned to them, the workstation requirement will only come into effect when for example the DR situation calls for it where perhaps a number of the users’ have lost their equipment in a fire or similar disaster situation, otherwise the users can simply use their		40	

notebooks as they currently do in our hybrid working environment where users can work remotely or in the office with their equipment. Less than 8 = 0 Cater to all 8 points = 3 NB: These 8 points identified are the minimum requirement, failure to cater to all 8 points listed will result to a score of 0 on this criterion. N.B - Site Visits will be conducted to confirm the availability of the above-mentioned criteria.		
THE DISASTER RECOVERY SITE MUST INCLUDE: • Adequate standby power capability in the form of power generation and uninterruptable power in the event of power outages. • Fire detection and suppression. • 24 x 7 x 365 access for our users during testing and recovery situations. • The summary of how SA Tourism will fit into the service provider Disaster Recovery Plan, in case of the catastrophic disaster affecting the site itself. • Systems security and Physical access control.	40	
Total Weight	100	

Phase 2 Desktop technical, functional evaluation & Site Visit - A bidder must meet a minimum threshold of 70% from desktop technical functional evaluation to be considered for the next phase of evaluation, Phase 3, which is an evaluation on price and specific goals. Failure to meet the minimum points of 70% threshold will result in disqualification in this phase.

Table 5: Desktop Technical and Functional Evaluation Matrix

Rating	Definition	Score
Excellent	Exceeds the requirement. Exceptional demonstration by the supplier of the relevant ability, understanding, experience, skills, resources, and quality measures required to provide the goods/services. Response identifies factors that will offer potential value, with supporting evidence.	3
Acceptable	Satisfies the requirement with minor additional benefits , above average demonstration by the supplier of the relevant ability, understanding, experience, skills, resources, and quality measures required to provide the goods/services. Response identifies factors that will offer potential required services, with supporting evidence.	2
Average	Submission meets the minimum requirement with major reservations . Considerable reservations of the supplier's relevant ability, understanding, experience, skills, resources, and quality measures required to provide the goods/services, with little or no supporting evidence.	1
Unacceptable	Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the supplier has the ability, understanding, experience, skills, resources & quality measures required to provide the goods/services, with little or no supporting evidence.	0

Objective Criteria

The recommended bidder will be required to submit a full set of the latest financials upon request from South African Tourism. SA Tourism may assess the financial health (*Liquidity, solvency ratio, etc.*) of the recommended bidder. Should the result of the financial assessment reflect financial distress that may hinder the supplier from successfully delivering the project, SA Tourism reserves the right not to award the Bid to the highest point scorer.

Upon the successful negotiation and signing of a contract and services level agreement with the preferred service provider, all other service providers will be considered unsuccessful.

Phase 3: Price and Preference (specific goals) Evaluation (80/20) = 100 points

Only Bidders who meet the minimum 70% threshold of functionality in Phase 2 will be evaluated in Phase 3 for price and preference (Specific goals). Failure to meet the minimum thresholds of both evaluation phases will result in disqualification regardless of combined scored points.

The total points for price evaluation (out of 80) and the total points for specific goals evaluation (out of 20) will be consolidated. The bidder who scores the highest points for comparative pricing and specific goals after the

consolidation of points will be considered as the preferred bidder with whom South African Tourism will enter into further negotiations for the respective marketing discipline that was tendered

Table 5: Price and Preference (specific goals) Evaluation (80/20) = 100 points

Only Bidders who meet the minimum 70% threshold of functionality in Phase 2 will be evaluated in Phase 3 for price and preference (Specific goals).

The total points for price evaluation (out of 80) and the total points for specific goals evaluation (out of 20) will be consolidated.

1. LIST OF RETURNABLES			
BIDDERS SHOULD PLEASE ADHERE TO THE FOLLOWING INSTRUCTIONS			
a) TICK APPLICABLE BOX			
b) ENSURE THAT THE FOLLOWING DOCUMENTS ARE COMPLETED, SUBMITTED AND SIGNED WHERE APPLICABLE			
ANNEXURES	DOCUMENT DESCRIPTION	YES	NO
PART A & B	IS THE BID INVITATION FORM, TERMS, AND CONDITIONS FOR BIDDING COMPLETED, SIGNED, AND SUBMITTED?		
SUPPLIER IS REQUIRED TO USE THE PRESCRIBED SEQUENCE IN ATTACHING THE ANNEXURES THAT COMPLETE THE BID OR RFQ DOCUMENT			
ANNEXURE A	IS THE STANDARD BID DOCUMENT (SBD4) FORM THE BIDDER'S DISCLOSURE COMPLETED, SIGNED, AND SUBMITTED?		
ANNEXURE B	IS BIDDER'S SWORN AFFIDAVIT - EXEMPTED MICRO ENTERPRISE (EME) - OR QUALIFYING SMALL ENTERPRISE (QSE) - STILL VALID (FOR A PERIOD OF 12 MONTHS) FROM THE DATE SIGNED BY COMMISSIONER SUBMITTED TO CLAIM POINTS FOR SMME'S?		
ANNEXURE C	IS THE BIDDER'S QUOTED PRICE OR FINANCIAL OFFER SUBMITTED AND ALIGNED WITH THE SCOPE OF WORK? OR STATED IN THE BELOW TABLE OF DESCRIPTION OF SERVICE/GOODS?		
ANNEXURE D	IS PROOF OF OWNERSHIP BY BLACK WOMAN ATTACHED IN THE FORM OF (A) COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED, (B) COPY OF THE ID-DOCUMENT(S) OF THE BLACK WOMAN(E)		
ANNEXURE E	IS PROOF OF OWNERSHIP BY BLACK PERSON (S) IN THE FORM OF, (A) COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE BLACK OWNERSHIP IS LISTED, AND (B) COPY OF IDENTITY DOCUMENTS.		
ANNEXURE F	IS PROOF OF OWNERSHIP BY BLACK YOUTH ATTACHED IN THE FORM OF (A)) COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED, (B) COPY OF THE ID-DOCUMENT(S) OF THE BLACK YOUTH.		
ANNEXURE G	IS THE LATEST REPORT FROM CENTRAL SUPPLIER DATABASE (CSD) SUBMITTED? THE REPORT WILL BE USED AMONGST OTHERS TO VERIFY TAX COMPLIANT AND BANKING DETAILS. TO FURTHER CONFIRM IF THE SHAREHOLDERS/DIRECTORS OF THE COMPANY ARE BLACK WOMEN, BLACK YOUTH OR BLACK-OWNED. INFORMATION AND DETAILS ON BLACK WOMEN, BLACK YOUTH AND BLACK OWNERSHIP SHOULD BE SIMILAR TO THE INFORMATION SUBMITTED ON ANNEXURES C, D,E AND F ABOVE.		
2. APPLICATION OF PREFERENCE POINT SYSTEM			
4.1 DEFINITIONS			
HISTORICALLY DISADVANTAGED INDIVIDUALS (HDI) IS DEFINED AS A SOUTH AFRICAN CITIZEN -			
a) WHO, DUE TO THE APARTHEID POLICY THAT WAS IN PLACE, HAD NO VOTING RIGHTS IN THE NATIONAL ELECTIONS PRIOR TO THE INTRODUCTION OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1983 (ACT NO. 100 OF 1983) OR THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993 (ACT NO. 200 OF 1993) ("THE INTERIM CONSTITUTION) AND OR			

b) WHO IS A WOMAN AND/OR

c) YOUTH

4.2 WITH THE UNDERSTANDING THAT ANY PERSON WHO RECEIVED SOUTH AFRICAN CITIZENSHIP ON OR BEFORE THE INTRODUCTION OF THE INTERIM CONSTITUTION, WILL NOT BE DEEMED TO BE HDI.

4.3 ANY REFERENCE TO WORDS "BID" OR "BIDDER" HEREIN AND/OR IN ANY OTHER DOCUMENTATION SHALL BE CONSTRUED TO HAVE THE SAME MEANING AS THE WORDS "TENDER" OR "TENDERER".

4.4 "A WOMAN" REFERS TO A FEMALE PERSON WHO IS A SOUTH AFRICAN CITIZEN

4.5 "HDI EQUITY OWNERSHIP" REFERS TO THE PERCENTAGE OF A PARTNERSHIP OR BUSINESS THAT IS OWNED BY INDIVIDUALS, OR IN THE CASE OF A COMPANY, THE PERCENTAGE OF SHARES WHICH IS OWNED BY INDIVIDUALS WHO ARE ACTIVELY INVOLVED IN THE MANAGEMENT DECISIONS AND DAY TO DAY OPERATIONAL ACTIVITIES OF THE COMPANY OR BUSINESS AND WHO EXERCISES CONTROL IN THE BUSINESS IN RELATION TO THEIR OWNERSHIP AT THE CLOSE OF TENDER. WHERE INDIVIDUALS ARE NOT ACTIVELY INVOLVED IN THE MANAGEMENT AND DAY TO DAY OPERATIONAL ACTIVITIES OF THE BUSINESS AND WHO DOES NOT EXERCISE CONTROL IN RELATION TO THE PERCENTAGE OF THEIR OWNERSHIP, EQUITY OWNERSHIP POINTS CANNOT BE AWARDED.

4.6 "BLACK PEOPLE" IS A GENERIC TERM WHICH MEANS AFRICANS, COLOURED AND INDIANS WHO ARE CITIZENS OF THE RSA BY BIRTH OR DESCENT OR BY NATURALISATION BEFORE 27 APRIL 1994 OR AFTER.

4.7 "SMALL ENTERPRISE" MEANS A SEPARATE AND DISTINCT BUSINESS ENTITY, TOGETHER WITH ITS BRANCHES OR SUBSIDIARIES, IF ANY, INCLUDING COOPERATIVE ENTERPRISES, MANAGED BY ONE OWNER OR MORE PREDOMINANTLY CARRIED ON IN ANY SECTOR OR SUBSECTOR OF THE ECONOMY.

4.8 "YOUTH" IS A GENERIC TERM WHICH MEANS PERSONS BETWEEN 14 TO 35 YEARS OF AGE. (THE MAXIMUM AGE OF PERSON/DIRECTOR/SHAREHOLDER ETC MUST BE BELOW OR 35 YEARS ON OR BEFORE THE CLOSING DATE AND TIME OF THE RFQ)

4.9 "EXEMPTED MICRO ENTERPRISE (EME)" IN TERMS OF THE GENERIC CODES OF GOOD PRACTICE, IT REFERS TO AN ENTERPRISE WITH AN ANNUAL TOTAL REVENUE OF R 10 MILLION OR LESS.

4.10 "QUALIFYING SMALL ENTERPRISE (QSE)" IN TERMS OF THE GENERIC CODES OF GOOD PRACTICE, IT REFERS TO AN ENTERPRISE WITH AN ANNUAL TOTAL REVENUE OF BETWEEN R 10 MILLION AND R 50 MILLION

4.11 "SPECIFIC GOALS" REFERS TO CONTRACTING WITH PERSONS, OR CATEGORIES OF PERSONS, HISTORICALLY DISADVANTAGED BY UNFAIR DISCRIMINATION ON THE BASIS OF RACE, GENDER OR DISABILITY AND IMPLEMENTING PROGRAMME AS PUBLISHED IN THE GOVERNMENT GAZETTE NO. 16085 DATED 23 NOVEMBER 1994.

4.12 80 / 20 PREFERENCE POINT SYSTEM

TENDERERS WILL BE AWARDED POINTS AS FOLLOWS:

The points must be allocated and awarded as follows:

i.	Total Tendered Price	: 80 points
ii.	Black Women Ownership	: 04 points
iii.	Black Ownership	: 10 points
iv.	Black Youth	: 02 points
v.	Small, Medium and Micro Enterprises	: 04 points

Specific Goals (Maximum points)

(SMME's)

Total : 100 points

4.13 THE POINTS SCORED FOR SPECIFIC GOALS WILL BE ADDED TO THE POINTS SCORED FOR PRICE AND THE TOTAL MUST BE ROUNDED OFF TO THE NEAREST 2 DECIMAL PLACES

4.14 TENDER PRICE

THE FOLLOWING FORMULA WILL BE USED TO CALCULATE THE POINTS OUT OF 80 FOR PRICE IN RESPECT OF TENDER WITH A RAND VALUE NOT EXCEEDING R 50 MILLION (INCLUSIVE OF ALL APPLICABLE TAXES). THE LOWEST ACCEPTABLE TENDER MUST SCORE 80 POINTS FOR PRICE, AND OTHER TENDERS WHICH ARE HIGH IN PRICE MUST SCORE FEWER POINTS, ON PRO RATA BASIS.

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

WHERE -

PS = POINTS SCORED (AWARDED) FOR PRICE OF TENDER UNDER CONSIDERATION

PT = PRICE OF TENDER UNDER CONSIDERATION; AND

PMIN = PRICE OF THE LOWEST ACCEPTABLE TENDER

4.15 SPECIFIC GOALS**4.15.1 % OWNED BY PEOPLE WHO ARE BLACK WOMEN (WO)**

A MAXIMUM OF FOUR (04) POINTS WILL BE AWARDED TO A TENDERER WHO IS A BLACK WOMAN. EQUITY OWNERSHIP FOR BLACK WOMEN WILL BE DETERMINED BY THE % OF THE ENTERPRISE OWNED BY SUCH A PERSON OR BY THE % OF SHARES OWNED BY MEMBER/S WHO ARE ACTIVELY INVOLVED IN THE DAY TO DAY MANAGEMENT OF THE COMPANY OR ENTERPRISE.

% OF ENTERPRISE OWNED BY BLACK WOMEN -----%

THUS, POINTS AWARDED: $4 \times \frac{\% WO}{100} =$

PROOF OF OWNERSHIP MUST BE ATTACHED IN THE FORM OF:

- a) COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED I.E. CIPC ETC;
- b) COPY OF THE ID-DOCUMENT (S) OF THE BLACK WOMAN(E)
- c) LATEST CENTRAL SUPPLIER DATABASE (CSD) REPORT OF WHICH OWNERSHIP OF THE BLACK WOMAN IS LISTED

4.15.2 % OWNED BY BLACK PEOPLE (BO)

A MAXIMUM OF TEN (10) POINTS WILL BE AWARDED TO A TENDERER WHO IS A BLACK AND DID NOT HAVE VOTING RIGHTS ACCORDING TO THE DEFINITION OF AN HDI. EQUITY OWNERSHIP FOR BLACKS WILL BE DETERMINED BY THE % OF THE ENTERPRISE OWNED BY SUCH A PERSON OR BY THE % OF SHARES OWNED BY MEMBERS WHO ARE ACTIVELY INVOLVED IN THE DAY TO DAY ACTIVITIES OF THE COMPANY OR ENTERPRISE.

% OF ENTERPRISE OWNED BY BLACK PERSON(S) WHO DID NOT HAVE VOTING RIGHTS.....%

THUS, POINTS AWARDED: $10 \times \frac{\% BO}{100} =$

PROOF OF OWNERSHIP MUST BE ATTACHED IN THE FORM OF:

- a) COPY OF ID DOCUMENT.
- b) COPY OF THE FOUNDING DOCUMENTATION ON THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED I.E. CIPC ETC;
- c) LATEST CSD REPORT WITH BLACKS AS SHAREHOLDERS/DIRECTORS OF THE COMPANY

4.15.3 SMALL, MEDIUM AND MICRO ENTERPRISES (SMME'S)

A MAXIMUM OF FOUR (4) POINTS WILL BE AWARDED TO A TENDERER WHO IS CLASSIFIED AS SMME

IS THE COMPANY CLASSIFIED AS EME OR QSE?

YES = 4 POINTS

=

NO = 0 POINT

PROOF OF DOCUMENTATION MUST BE ATTACHED IN THE FORM OF:

- a) SWORN AFFIDAVIT THAT IS VALID FOR A PERIOD OF 12 MONTHS FROM THE DATE SIGNED BY THE COMMISSIONER.

4.15.4 % OWNED BY BLACK YOUTH

A MAXIMUM OF TWO (2) POINTS WILL BE AWARDED TO A TENDERER WHO IS Black Youth. EQUITY OWNERSHIP FOR BLACK YOUTH WILL BE DETERMINED BY THE % OF THE ENTERPRISE OWNED BY SUCH A PERSON OR BY THE % OF SHARES OWNED BY MEMBERS WHO ARE ACTIVELY INVOLVED IN THE DAY TO DAY ACTIVITIES OF THE COMPANY OR ENTERPRISE.

% OF ENTERPRISE OWNED BY BLACK YOUTH.....%

THUS, POINTS AWARDED : $2 \times \frac{\% DO}{100} =$

PROOF OF OWNERSHIP MUST BE ATTACHED IN THE FORM OF:

- a) A COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED I.E. CIPC ETC;
- b) A COPY OF ID DOCUMENT;
- c) LATEST CENTRAL SUPPLIER DATABASE (CSD) REPORT OF WHICH OWNERSHIP OF THE BLACK YOUTH IS LISTED.

table B: Ownership

NAME AND SURNAME /ENTITY NAME	GENDER (MALE OR FEMALE)	AGE i.e., 32	CITIZENSHIP (RSA, OR SPECIFY OTHER)	ETHNIC GROUP (BLACK, WHITE, ETC.)	NUMBER OF SHARES PER SHAREHOLDER	PERCENTAGE OF OWNERSHIP (%) PER SHAREHOLDER
Total						

*(To be completed by bidder)***TABLE- C: SPECIFIC GOALS**

Ownership	Total percentage of ownership	specific goals points claimed
Black Woman ownership		
Black Ownership		
Black Youth Ownership		
Total		

4.16 THE SAT CAN ONLY AWARD POINTS PROVIDED SUFFICIENT INFORMATION AND REQUIRED DOCUMENTS ARE CORRECTLY COMPLETED AND RETURNED WITH THE PROPOSALS IN LINE WITH LIST OF RETURNABLE DOCUMENTS ON PARAGRAPH THREE (3) ABOVE. POINTS OBTAINED FOR PRICE SHOULD BE ADDED TO POINTS OBTAINED FOR SPECIFIC GOALS.

4.17 TENDER MUST BE AWARDED TO THE TENDERER SCORING THE HIGHEST POINTS. HOWEVER, A CONTRACT MAY BE AWARDED TO A TENDERER THAT DID NOT SCORE THE HIGHEST POINTS ONLY IN ACCORDANCE WITH SECTION 2 (1)(F) OF THE PPPFA 05 OF 2000.

3. CRITERIA FOR BREAKING DEADLOCK IN SCORING

- a) IF TWO OR MORE OF THE TENDERERS HAVE SCORED EQUAL TOTAL NUMBER OF POINTS, THE CONTRACT WILL BE AWARDED TO THE TENDERER THAT SCORED THE HIGHEST POINTS FOR SPECIFIC GOALS;
- b) IF TWO OR MORE TENDERS SCORE EQUAL TOTAL NUMBER OF POINTS IN ALL RESPECTS, THE AWARD WILL BE DECIDED BY THE DRAWING OF LOTS

4. DELIVERIES

- a. ALL DELIVERIES MAY BE ACCOMPANIED BY A DELIVERY NOTE OR AN INVOICE OF AN OFFICIAL PURCHASE ORDER NUMBER AGAINST WHICH THE DELIVERY HAS BEEN AFFECTED
- b. DELIVERIES NOT COMPLYING WITH THE PURCHASE ORDER FORM MAY BE RETURNED TO THE SUPPLIER(S) AT THE SUPPLIER'S EXPENSE. SAT WILL NOT BE LIABLE FOR PAYMENT OF INCORRECTLY DELIVERED GOODS OR SERVICE
- c. BIDDERS SHOULD INDICATE THE PLANNED DELIVERY PERIOD (IN DAYS) FROM THE DATE AN ORDER IS ISSUED

5. POPIA DISCLAIMER

5.1. COMPLIANCE WITH THE PERSONAL INFORMATION ACT, 4 OF 2013

PERSONAL INFORMATION SHARED WITH THE SAT SHALL BE TREATED WITH CONFIDENTIALITY AND IN COMPLIANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 (POPIA) AND OTHER APPLICABLE LAWS. FOR PURPOSES OF THIS DISCLAIMER, "PERSONAL INFORMATION" SHALL BE DEFINED AS DETAILED IN THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000 (PAIA) AND POPIA, AND "PROCESSING" AND "FURTHER PROCESSING" SHALL BE READ, INTERPRETED AND UNDERSTOOD AS DETAILED AND DEFINED IN POPIA.

5.2. CONSENT TO PROCESSING AND FURTHER PROCESSING OF PERSONAL INFORMATION

THE SATMAY PROCESS AND FURTHER PROCESS RECEIVED PERSONAL INFORMATION, INTERNALLY OR EXTERNALLY, IN THE EXECUTION OF ITS MANDATE AND/OR AS REQUIRED BY LAW. THE SATMAY SHARE PERSONAL INFORMATION WITH ITS SERVICE PROVIDERS, AGENTS, CONTRACTORS, LEGAL AND OTHER PROFESSIONAL ADVISORS AUTHORISED TO PROCESS THIS INFORMATION. THE SATMAY THUS PLACE RECEIVED PERSONAL INFORMATION IN THE PUBLIC DOMAIN DUE TO THE NATURE AND REQUIREMENTS OF ITS WORK.

5.3. FURTHER PROCESSING OF PERSONAL INFORMATION

YOU FURTHER GRANT THE SATEXPRESS AND/OR IMPLIED PERMISSION TO FURTHER PROCESS RECEIVED PERSONAL INFORMATION AND PLACE IT IN THE PUBLIC DOMAIN, IN THE EXECUTION OF ITS MANDATE AND STATUTORY OBLIGATIONS.

5.4. DUTY OF CARE

THE SAT VALUES YOUR PRIVACY AND SHALL TAKE ALL REASONABLE MEASURES TO PROTECT RECEIVED PERSONAL INFORMATION.

5.5. EXEMPTION FROM LIABILITY

THE SAT(INCLUDING ITS OFFICIALS AND/OR EMPLOYEES) ACCEPTS NO LIABILITY WHATSOEVER, FOR ANY LOSS, DAMAGE (WHETHER DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL), AND/OR EXPENSES OF ANY NATURE WHATSOEVER WHICH MAY ARISE AS A RESULT OF, OR WHICH MAY BE ATTRIBUTABLE DIRECTLY OR INDIRECTLY, FROM INFORMATION MADE AVAILABLE HEREIN, OR ACTIONS OR TRANSACTIONS RESULTING THEREFROM

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