

Document Retention, Destruction and Archival Policy

Version 3

INTRODUCTION

Every organization in the course of its work generates documents and records in physical or electronic form. For historical and legal purposes, the records are required to be maintained either permanently or for a limited period of time and in this, the Company has been guided by legal requirements and Board instructions. A document preservation policy involves the systematic identification, categorization, maintenance, review, retention, and destruction of documents received or created in the course of business. The policy contains the guidelines how to identify documents that need to be maintained, how long certain documents should be retained, how and when those documents should be disposed of if no longer needed, and how should be accessed or retrieved when they are needed as per the rules made under the law wherever Subex has its presence.

PURPOSE

Retain as long as required: The law requires the Company to maintain certain types of corporate records, usually for a specified period of time. Failure to retain those records for those minimum periods could subject you and the Company to penalties and fines, cause the loss of rights, obstruct justice, spoil potential evidence in a lawsuit, place the Company in contempt of court, or seriously disadvantage to the Company in litigation

But, on the otherhand, no longer than required: As just mentioned, we must retain documents as long as required by the law or policy. But, it is just as important to know that we should not retain documents longer than required by law or policy. Retaining documents for longer periods simply takes space (whether in file cabinets or electronically). In addition, data security is a major consideration in this day and age. And, it may seem obvious, but if we don't have the data, it can't be stolen from us. This concern is especially noted with respect to personal data. We owe it to every person with respect to whom we have data to protect that data. We owe that as a practical matter but also as a legal matter under such laws and regulations as the EU General Data Protection Regulation (GDPR). Data we no longer have can't be stolen or misused.

Thus, it is a requirement of this policy to keep documents and data as long as required under the policy but no longer. Thus, this policy provides, first, for a document retention policy and, second, for a data destruction policy.

DOCUMENT RETENTION REQUIREMENT

It is the duty and responsibility of every employee to keep the Documents and records in such a manner that the same is accurate, complete, updated, retrievable when needed, maintained in good condition and preserved till such time as mentioned in this Policy.

The following types of documents are considered to be retained and maintained permanently or for specific periods as required by applicable law.

Documents to be retained permanently:

- a. *Orders passed by any Court or Tribunal or any Authority or Judgment which are final in nature and cannot be superseded.*
- b. *Intellectual Property Documents shall include, but shall not be limited to Copyrights, Trademarks, Patents, and Industrial Designs. Intellectual Property Rights Documents that are owned by the Company.*

- c. All emails to the Company’s Officers or Audit Committee relating to complaints on auditing, accounting, frauds or internal controls.
- d. Corporate Records (certificate of incorporation, commencement of business, Common Seal, minutes book of board and committees thereof, minutes of meetings of shareholders, annual reports, etc.)
- e. Property related documents: Property Deeds, Rights of Way, Original Purchase or Sale deed

Documents to be retained for 8 years or more:

Name/Description of Record	Retention Period	Responsibility
<i>Litigation Files</i>	13 years after expiration of disposal of the case	Legal Team
<i>Corporate Records such as Board and Committee materials, Shareholder meeting materials, Documents relating to Shareholders, ROC fillings, Stock Exchange Fillings;</i>	i) 8 Years ii) for fillings 8 years from the date of filing	Secretarial team
<i>Annual Audit Reports and Financial Statements, Accounting Vouchers and supporting bills, Books of Accounts;</i>	8 Years	Finance team
<i>Bank Statement and Cancelled Cheques;</i>	8 Years	Finance Team
<i>Investment Records;</i>	8 Years	Finance team
<i>Income Tax Returns/ Records</i>	8 Years	Taxation team
<i>Service Tax / VAT / Goods and Services Tax Returns/Records</i>	8 Years	Taxation team
<i>Contracts entered into by the Company</i>	8 Years	Legal Team
<i>Insurance Policies for the Company</i>	8 Years from the expiry of policy term	Legal team
<i>Personnel Files of individual employees</i>	8 Years from termination of services- India and others 7 Years from termination of services- UK and EU	HR Team
<i>Payroll Register</i>	8 Years - India and others 7 Years - UK and EU	HR Team
<i>Records on CSR Projects</i>	8 Years	Secretarial team

Group Insurance Plans – Active Employees	5 years from the expiry of policy term	HR team
Original Lease deed	3 years from expiry of lease	Facilities team
Certificates and Licenses obtained for operations of the Company	8 years after the validity of licenses	IT team
Marketing and Sales Documents	8 years	Marketing and Sales team

Retention Period for Employee Records pertaining only to US and Canada (to be retained by HR team):

Type of Record	Retention Period	
	US	Canada
Hiring Records	1 year	1 Year
Payroll	3 years	8 years
Personnel files	4 years	3 years
UI claims	5 years	10 years
I-9	3 years	2 years
Group insurance	6 years	10 years
W4	4 years	10 years
Workers comp claim	10 years	10 years
COBRA	8 years	N/A
Vacation	3 years	3 years

Electronic Copies and Methods of Email Retention

Electronic copies of the message are legally no different than paper copies. Electronic documents includes- e-mail, spreadsheets, database reports, power point presentation, graphics, websites, world processing document etc. The guidelines for determining retention period for electronic records shall be the same as that for physical records.

Legal Hold of Documents

Notwithstanding anything else stated in this policy, if a lawsuit or other proceeding involving the Company is ongoing or reasonably foreseeable, any possibly relevant documents and data, including e-mail, must not be destroyed, disposed or altered until specifically advised otherwise by the legal department.

DATA DESTRUCTION POLICY

Subex respects personal data. Laws and regulations require that Subex retains personal data only for so long as the personal data is required for the legitimate purposes for which it was obtained. The GDPR, as an example, states “Personal data shall be . . . kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for the personal data is processed . . .” *GDPR, Article 5(1)(e)*.

GDPR-governed data destruction policy: For personal data, data inventories are to be maintained as part of processing personal data governed by the GDPR. These data inventories will specify the applicable retention period. Personal data, governed under the GDPR, should be destroyed (or anonymized) at the earlier of:

- 1) the end of the specified retention period;
 - 2) if a legitimate purpose of processing the data is consent, when the consent is withdrawn unless there is other legitimate basis for processing the personal data;
 - 3) for any other legitimate purpose, if the legitimate purpose no longer exists;
- all, unless a longer period is required by law or the data is subject to a litigation hold.

Other personal data destruction policy: All other personal data should be destroyed on the date such data is no longer needed unless the data is required by law to be kept for a longer period of time or unless the data is subject to a litigation hold.

By “destroyed”, we mean, with respect to paper documents reliably shredded or otherwise irreversibly destroyed and with respect to electronic data erased or modified in a manner which makes the data unreadable.

If you have any questions regarding retention or destruction of personal data, please contact the Subex Data Privacy Officer at GDPR-DPO@subex.com.

AMENDMENT

Subex reserves the right to amend, alter and terminate this policy at any time. Any change in the Policy shall be approved by the Board of Directors of the Company. The Board of Directors shall have the right to withdraw and / or amend any part of this Policy or the entire Policy, at any time, as it deems fit, or from time to time, and the decision of the Board in this respect shall be final and binding.

INTERPRETATION

In any circumstance where the terms of this policy differ from any existing or newly enacted law, rule, Regulation or Standard governing the Company, the law, rule, Regulation or Standard will take precedence over these policies and procedures until such time as this policy is changed to conform to the law, rule, Regulation or Standard.

COMPLIANCE

Failure to comply with this Policy may result in disciplinary action. Any questions about this policy should be referred to General Counsel, who is in charge of administering, enforcing and updating this policy.

Document Version Control

VERSION	DATE	AUTHOR	ACTION ON DOCUMENT
Version 3.0	19 Jul 2018		Approved by Board of Directors

Approved and authorized by.
Board of Directors on 19 July 2018