

Privacy policy

PROTECTION OF PERSONAL INFORMATION (“POPI”), PRIVACY POLICY AND PRINCIPLES

1. Introduction

1.1. SA Telecoms respects its customers’ privacy and will take the measures set out herein to protect it.

1.2. SA Telecoms may require the customer to provide SA Telecoms with personal information which include company names and registration numbers, name and surname, email address, physical address, gender, mobile number, and date of birth.

1.3. Should the customer’s personal information change, please inform SA Telecoms and provide SA Telecoms with the updates within 7 days to enable SA Telecoms to update the customer’s personal information.

1.4. Customer may choose to provide additional personal information to SA Telecoms, in which event customer agree to provide accurate and current information, and not to impersonate or misrepresent any person/entity or falsely state or otherwise misrepresent the customer’s affiliation with anyone or anything.

1.5. SA Telecoms asks each of its customers to abide by all applicable laws, rules and regulations, as SA Telecoms will do so ourselves.

1.6. The “Products” and “Services” and related services are described on the SA Telecoms website at www.SATelecoms.co.za and in the customer contract.

2. Customer’s Consent

2.1. By using SA Telecoms and its Products and/or Services, the customers consent to the processing of the customer’s personal data. Subject to the below, SA Telecoms will not, without the customer’s consent, use the customer’s personal information for any purpose other than as set out hereunder:

2.2. SA Telecoms uses customers’ personal information for several purposes:

2.2.1. to register the customer for inclusion in our Service to fulfil the customer’s request;

2.2.2. to contact customers if SA Telecoms needs to obtain or provide additional information;

2.2.3. to verify the accuracy of our records;

2.2.4. to contact customers regarding customer satisfaction surveys in relation to the ordering, sale, delivery, performance and quality of Products and Services;

2.2.5. to contact customers regarding current or new Products or Services or any other Products offered by SA Telecoms (unless customers have opted out from receiving marketing material from SA Telecoms);

2.2.6. to inform customers of new features, special offers and promotional competitions offered by SA Telecoms (unless customers have opted out from receiving marketing material from SA Telecoms);

2.2.7. to improve our Products, Services and customers selection and the customer’s experience on our Products and/or Services by, for example, monitoring the customer’s browsing habits, or tracking the customer’s sales on the Products and/or Services;

2.2.8. to collect certain technical information, such as the browser version and operating system;

2.3. SA Telecoms shall not disclose the customer’s personal information to any third party other than as set out below:

2.3.1. to our employees and/or third-party Service providers that need to know the customer’s personal information in order to assist SA Telecoms to communicate with customers properly and efficiently.

2.3.2. to law enforcement, government officials, fraud detection agencies or other third parties when SA Telecoms believe in good faith that the disclosure of personal information is necessary to prevent physical harm or financial loss, to report suspected illegal activity, or to investigate violations of the Privacy Policy;

2.3.3. to our Service providers (under contract with SA Telecoms) who help with parts of our business operations (fraud prevention, networks, platforms, licenses, marketing, technology Services etc.). However, our contracts dictate that these Service providers may only use the customer’s information in connection with the Services they perform for SA Telecoms and not for their own benefit;

2.3.4. to our suppliers in order for them to liaise directly with customers in the event of customers submitting a warranty claim regarding any Products or Services customers have purchased which requires their involvement.

2.4. From time-to-time SA Telecoms may also administer random “interactive pop-up” surveys to some customers. These surveys request additional demographic, non-personally identifiable information. The customers’ participation in a survey is always voluntary, and customers therefore have a choice whether to provide the requested survey information. SA Telecoms uses the information collected in the survey, in conjunction with information gathered through cookies and code, in order to provide customers with an even more detailed understanding of its target market;

2.5. Some voluntarily provided personally identifiable information may be captured; for example, when an email address or telephone number is incorporated into a survey for the potential awarding of a prize draw, or when the respondent has opted-in to possible follow up research. This information may be shared with entities or other customers who in turn have agreed to adhere to this Privacy Policy;

2.6. SA Telecoms is entitled to use or disclose the customer's personal information if such use or disclosure is required in order to comply with any applicable law, subpoena, order of court or legal process served on SA Telecoms, or to protect and defend our rights or property;

2.7. SA Telecoms will ensure that all our employees, third party Service providers, suppliers, divisions and partners (including their employees and third-party Service providers) having access to the customer's personal information are bound by appropriate and legally binding confidentiality obligations in relation to the customer's personal information.

3. Personal Information

3.1. SA Telecoms will:

3.1.1. treat the customer's personal information as strictly confidential, save where SA Telecoms is entitled to share it as set out in this Policy;

3.1.2. take appropriate technical and organisational measures to ensure that the customer's personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;

3.1.3. provide customers with access to the customer's personal information to view and/or update personal details;

3.1.4. promptly notify customers if SA Telecoms becomes aware of any unauthorised use, disclosure or processing of the customer's personal information;

3.1.5. provide customers with reasonable evidence of our compliance with our obligations under this Policy on reasonable notice and request;

3.1.6. upon the customer's request, promptly return or destroy any and all of the customer's personal information in our possession or control, save for that which SA Telecoms is legally obliged to retain;

3.2. SA Telecoms undertakes never to sell or make the customer's personal information available to any third party other than as provided for in this Policy.

3.3. Whilst SA Telecoms will do all things reasonably necessary to protect the customer's rights of Privacy, SA Telecoms cannot guarantee or accept any liability whatsoever for unauthorised or unlawful

disclosures of the customer's personal information, whilst in our possession, made by third parties who are not subject to our control.

3.4. If customers disclose the customer's personal information to an unrelated third party, such as an entity which operates products and/or services linked to SA Telecoms supplied Products and/or Services, SA Telecoms WILL NOT BE LIABLE FOR ANY LOSS OR DAMAGE, HOWSOEVER ARISING, SUFFERED BY YOU AS A RESULT OF THE DISCLOSURE OF SUCH INFORMATION TO THE THIRD PARTY. This is because SA Telecoms does not regulate or control how that third party uses the customer's personal information. The customer should always ensure that they read the Privacy Policy of any third party;

3.5. Retention Period. SA Telecoms will retain the customer's personal information for the period necessary to fulfil the purposes outlined in this Privacy Policy unless a longer retention period is required or allowed by law;

3.6. Cross-Border Transfer for customers: The personal information from customers may be stored and processed in any country where SA Telecoms has facilities or where the Products or Services originate, and by using Product or Services the customer's consent to the transfer of information to countries outside of the customer's country of residence, which have different data protection rules than in the customer's country;

3.7. Children and Privacy. The SA Telecoms Products and/or Services do not offer information intended to attract children. SA Telecoms does not knowingly solicit personal information from children under the age of 18;

3.8. Your right to access information. Customers have the right to request a copy of the personal information we hold about the customer. To do so, simply email SA Telecoms on our contact details below and send a request to review the personal information or contact us at the numbers/addresses listed below and specify what information is required. SA Telecoms will take all reasonable steps to confirm the customer and/or customer's identity before providing details of its personal information. Please note that any such access request may be subject to a payment of a legally allowable fee;

3.9. Correction of information. Customers have the right to ask SA Telecoms to update, correct or delete personal information. Customers may do this by completing the Form 2 on the SA Telecoms website. SA Telecoms will take all reasonable steps to confirm the customer's identity before making changes to personal information held about the customer.

3.10. SA Telecoms's POPI contacts. Please refer to SA Telecoms's PAIA manual for more detail.

4. SA Telecoms YiP application

4.1. The SA Telecoms YiP application will only collect and use your contacts information stored on your mobile device on which YiP is installed if customer allows this option in the application and configures its mobile device to allow the YiP Application to access the mobile device's contact list.

4.2. Should you allow the YiP App access to the contacts list on your mobile, the following personal information from your address book will be viewable in the YiP App:

4.2.1. Contacts' names

4.2.2. Contacts' email

4.2.3. Contacts' telephone numbers

4.2.4. Contacts' organization

4.3. SA Telecoms will use this information to populate your contacts data in the YiP App.

4.4. The YiP App only uses your Contacts information to make your contact information conveniently available in the YiP App.

4.5. You can choose at any time to erase the collected contact data by denying access to your contacts in your device settings or you can uninstall the "YiP" application at any time.

5. Security

5.1. SA Telecoms uses reasonable organisational, technical and administrative measures to protect personal information under its control. Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure.

5.2. If customers have reason to believe that the customer's interaction with SA Telecoms is no longer secure (for example, if customers feel that the security of any account customers might have with SA Telecoms has been compromised), please immediately notify SA Telecoms of the problem.

6. Digital Marketing – Cookies – Website and/or App

6.1. Our website and/or App makes use of "cookies" to automatically collect information and data through the standard operation of the Internet servers. "Cookies" are small text files a Website and/or App can use (and which SA Telecoms may use) to recognise repeat customers, facilitate the customer's on-going access to and use of a Website and/or App and allow a Website and/or App to track usage behaviour and compile aggregate data that will allow the Website and/or App operator to improve the functionality of the Website and/or App and its content.

6.2. The type of information collected by cookies is not used to personally identify customers. If customers do not want information collected using cookies, there is a simple procedure in most browsers that allows customers to deny or accept the cookie feature.

6.3. Please note that cookies may be necessary to provide customers with certain features available on our Digital Marketing Services, and thus if customers disable the cookies on the customer's browser, customers may not be able to use those features, and the customer's access to our Digital Marketing Services will therefore be limited. If customers do not disable "cookies", customers are deemed to consent to our use of any personal information collected using those cookies.

7. Changes to the Privacy Policy

7.1. SA Telecoms may, in its sole discretion, change any of the terms and conditions of this Privacy Policy at any time. It is the customer's responsibility to regularly check the Privacy Policy and make sure that customers are satisfied with the changes. Should a customer not be satisfied, customers must not place any further orders on, or in any other way use, the Products and/or Services.

7.2. Any such change will only apply to the customer's use of these Products and/or Services after the change is displayed on the Products and/or Services. If customers use the Products and/or Services after such amended Privacy Policy, customers will be deemed to have accepted such changes.

8. Electronic Communications

8.1. When customers visit the Products and/or Services or send emails to SA Telecoms, customers consent to receiving communications from SA Telecoms electronically in accordance with our Privacy Policy.

9. Governing Law and Jurisdiction

9.1. This Privacy Policy, our relationship and/or any dispute arising from or in connection with the Privacy Policy will be governed and interpreted in accordance with the laws of the Republic of South Africa.