

PRIVACY POLICY
OF
EmComm (Pty) LTD
2020/192206/07

Prepared in accordance with the provisions of the Protection of
Personal Information Act, no 4 of 2013



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1) INTRODUCTION

- a) The Protection of Personal Information (“POPI”) Act emanates from Section 14 of the Constitution of the Republic of South Africa, 1996, which section provides that everyone has the right to privacy, and it includes a right to protection against the unlawful collection, retention, dissemination and use of personal information.
- b) The POPI Act has been promulgated to regulate, in harmony with the international standards, the processing of personal information by public and private bodies in a manner that gives effect to the right to privacy, subject to justifiable limitations that are aimed at protecting other rights and important interests.
- c) EmComm (PTY) LTD (“EmComm”) is therefore committed to protecting your privacy and the confidentiality of any personal information that you provide to us.
- d) The purpose of this policy is to inform you about the type of personal information EmComm collects and the ways in which it is collected, used, shared, protected and stored.
- e) By accessing the EmComm website and/or services and subsequently providing information indirectly, or when you provide us with your personal information directly, you indicate your acceptance of this policy.
- f) EmComm reserves the right to change this policy from time to time.

2) DEFINING PERSONAL INFORMATION

- a) The POPI Act defines personal information as “information relating to an identifiable, living, natural person and where it is applicable, an identifiable, existing juristic person”.
- b) Examples of personal information include, but are not limited to, names, addresses, contact numbers, email addresses, demographic information and financial information.

3) OUR PRIVACY POLICY SCOPE

The scope of this policy is to provide you with the assurance that:

- a) We will disclose how and when we obtain your information from sources other than:
 - i) Yourself directly; or from
 - ii) Sources which are publicly available.
- b) We will only process personal information for the sole purpose of:
 - i) Record keeping purposes required by law, e.g. Radio Dealers are required to keep a record of all radio equipment they supply and such records require the personal information of the licensee and person in possession of the radio apparatus.
 - ii) Invoicing purposes.

- iii) Management purposes such as the issuing of radio operators certificates or for warranty purposes.
- c) We have provided an edit or modify option on our website whereby YOU:
 - i) May update your own online information at leisure this ensuring that the information we have on record is relevant and up to date.
 - ii) Obtain or view your information that we have stored or processed without the need for you to request this.
- d) We have reasonable security measures in place to protect the information.
- e) We will only keep the necessary information for as long as it is required and will delete information when no longer required.
- f) We will cease processing your information if you have any objections to the processing of your personal information, subject to:
 - i) All objections being lodged with EmComm by submitting the below Form 1 which must be completed in full and emailed to popicomp@emcomm.co.za.
 - ii) That you understand that EmComm will no longer be able to provide any services or products to you until such time as the required personal information can be processed.
 - iii) All outstanding accounts will remain due and payable and the personal information which is required for legal purposes will continue to be processed.

4) HOW WE OBTAIN PERSONAL INFORMATION

We obtain and process your personal information in accordance with The POPI Act which provides that personal information must be collected:

- a) Directly from you; or
- b) From a public record; or
- c) From another source, where the collection of the information will not prejudice your legitimate interests; or
- d) From another source where the collection of the information is necessary:
 - i) To comply with an obligation imposed by law, or
 - ii) To maintain our legitimate interests or the legitimate interests of a third party to whom the information is supplied, or
 - iii) Similar principles apply to the use by us or the disclosure to a third party of personal information which we have obtained.
- e) Generally we will collect your personal information directly from you either via email or through our website registration process or both.

5) WEBSITE COOKIES

Our website does not make use of cookies.

6) HOW WE USE YOUR INFORMATION

- a) Besides providing you with a service or product, the associated quoting, invoicing or issuing of statements to name a few, we may be required to store certain information or transactions with third parties such as ICASA or SARS, however we will never share your information with any other person, entity or business for marketing purposes.
- b) As we do provide our own services and products we will from time to time provide you with marketing or product update emails.

7) DISCLOSURE OF INFORMATION

- a) We may disclose your personal information to third parties on the following basis:
 - i) Where we are required to do so by law; or
 - ii) To our attorneys who are involved in legal collection matters effectively caused by your arrear account status.
- b) To service providers who are involved in the delivery of services to you or where they are required to perform a service on our behalf whom we shall, where reasonable possible, bind them to our privacy policy when they require your personal information.
- c) We are not responsible for the content of any other third party websites which our website may have links to, or guarantee that they share the same high standards and respect for security or privacy of any information which YOU may provide to them and EmComm recommends that you always read the privacy and security statements on such sites.

8) INFORMATION SECURITY

- a) EmComm will apply the necessary due care and diligence to secure your information.
- b) We will make every effort to preserve the privacy of information provided by and collected from users.
- c) EmComm undertakes to review security controls and related processes on a regular basis to ensure that your personal information remains secure.
- d) In the event of your information being shared with third parties as provided for in paragraph 6 or paragraph 7 hereof, EmComm will not have any control over your personal information once it is shared and EmComm will not be able to take responsibility for the security of that information thereafter.

- e) Also bear in mind that no data transmitted over the internet, or information stored on a server which is accessible through the internet, can be guaranteed or fully secure.
- f) EmComm will not sell or lease your information to any third parties unless we have your written permission to do so.
- g) EmComm will not distribute your personal information to any third parties unless we have your written permission to do so or where we are required to do so in order to:
 - i) Perform our contractual obligations.
 - ii) Protect your legitimate interests, or
 - iii) Comply with one or more laws.

9) CORRECTION OF YOUR PERSONAL INFORMATION

- a) You may request us to:
 - i) Correct or delete personal information in our possession or under our control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
 - ii) Destroy or delete personal information about you that we are no longer authorised to retain in terms of Section 14. Section 14 provides that we may retain your personal information where it is required by law, or for the performance of our functions or activities, or to comply with our contractual requirements.
- b) Where applicable, personal information can be examined on our website using your logon option to the online portal. If you do not have this functionality available to you on our website, please send an email to popicomp@emcomm.co.za and we will provide you with your personal information which we have.
- c) If you believe that any of your information in our possession is incorrect, incomplete or should be deleted, and you are not able to make the required changes using your logon option on our website, please email the completed Form 2 below to popicomp@domainsolutions.co.za and we will correct, update or delete the information, where required.
- d) Your personal information will be destroyed once it is no longer necessary for achieving the purpose for which it was collected, provided that it is not required to be retained in terms of our contractual obligations or by law.

10) PRIVACY POLICY CHANGES

- a) Although most changes are likely to be minor, EmComm may change its Privacy Policy from time to time, and shall do so at the sole discretion of EmComm.
- b) EmComm encourages visitors to frequently check this page for any changes to its Privacy Policy.

FORM 1
OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE
PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.
4 OF 2013)
REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of20.....

.....
Signature of data subject/designated person

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.

4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.*
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.*

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	

C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i>

Signed at this day of 20.....

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Signature of data subject/ designated person