

## AFRICA MOBILE PRIVACY POLICY

### ("POLICY")

#### 1. WHEN DO THIS POLICY APPLY?

1. We are sensitive and committed to the personal nature of the information you provide to us. The privacy and protection of your Personal Information is important to us.
2. This Policy will apply when you place an order to use our services and/or products, where you use our Website Services, as well as where you communicate with us using means indicated in this Policy.

#### 2. HOW YOU CAN CONTACT US?

1. If you have any questions, concerns or you wish to lodge a complaint regarding our processing of your Personal Information in terms of this Policy, you can contact us:

- **by email:** store@africamobile.co.za;
- **in writing at:** Airtime Collections Africa Mobile (Pty) Ltd, 12a Growthpoint Business Park, 162 Tonetti street, Midrand, Guateng, 1685.

We are at your service:

- from Monday to Friday (08H00 – 17H00)
- Saturdays (09H00 – 13H00).

#### 3. DEFINITIONS AND INTERPRETATIONS

In this Policy, if a singular word is used it can include the plural, a word of any gender includes the other genders and if an "entity" is referred to it includes any entity that is seen in law as a separate legal person, such as a company, body corporate, a partnership, an association, and a trust, if it makes sense to do so.

In this Policy, unless stated otherwise, the following terms shall have the following meanings:

**"Africa Mobile"** means Airtime Collections Africa Mobile (Pty) Ltd and includes a reference to any person who may become a party in the place of this entity through a transfer of rights or in a representative capacity;

**"Africa Mobile Stakeholders"** means Africa Mobile's shareholders, Africa Mobile's subsidiaries and directors, employees and consultants of Africa Mobile or any of their subsidiaries, their affiliate companies, their service

providers, suppliers, agents and partners; companies to whom Africa Mobile acts as an operator or agent for and may refer to any one of them as the context require;

**“Africa Mobile Group”** means Africa Mobile and Africa Mobile Stakeholders;

**“Contract”** means all documents, terms and conditions, and agreements that apply between Africa Mobile and you;

**“Website Services”** means the Africa Mobile website owned and operated by Africa Mobile <https://www.africamobile.co.za>

**“Personal Information”** means information relating to you and which can be used to personally identify you (including but not limited to information such as your name and surname, email address, cellphone number, biometric information and password, as well as any other personal data collected), either directly or indirectly and as detailed in the POPIA;

**“POPIA”** means the Protection of Information Act 4 of 2013;

**“Special Personal Information”** means information concerning your religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information and criminal behaviour relating to an alleged commission of an offence or proceedings in respect of any offence allegedly committed by you, either directly or indirectly and as further detailed in the POPIA;

**“you”** and **“your”** refers to the person whose particulars appear on the Contract plus your lawful successor or authorised representative (if applicable), visitors to our office, and any other users of our Online Services and our products and services.

#### 4. THE PURPOSE OF THIS POLICY

1. **This Policy is to explain:**

- 1) how Africa Mobile collects, protects, shares, uses and otherwise handle your Personal Information collected from you directly, through the use of Africa Mobile’s Website Services, the use of Africa Mobile’s services and products and/or your communication with us;
- 2) your rights in relation to your Personal Information.

2. By providing Africa Mobile with your Personal Information, either directly, using Africa Mobile’s Website Services, services, products and communicating with Africa Mobile, you:

- 1) agree to this Policy;
  - 2) consent to the processing and share, disclose and transfer of your Personal Information as detailed in this Policy; and
  - 3) authorise Africa Mobile, Africa Mobile Stakeholders and other third parties to process your Personal Information for the purposes set out in this Policy.
3. Africa Mobile will not use your Personal Information for any other purpose(s) that that indicated in this Policy.
4. Africa Mobile will endeavour to protect your Personal Information provided by you from unauthorised alteration, loss, disclosure or access.

## 5. PERSONAL INFORMATION AFRICA MOBILE COLLECTS

1. The category of Personal Information Africa Mobile collects will depend on the purpose(s) for which your data are collected and used.
2. We collect your personal information that may include the following categories:

Personal Information category:	Personal Information details:
<b>your personal details</b>	<ul style="list-style-type: none"> <li>• your title, initials, gender, name(s), surname(s), date of birth, home language, photograph;</li> </ul>
<b>contact details</b>	<ul style="list-style-type: none"> <li>• your physical address, telephone number and email address;</li> </ul>
<b>job and employer details</b>	<ul style="list-style-type: none"> <li>• the name of your employer, your job title and role;</li> <li>• where you interact with us in your capacity as an employee of an organisation: the name, address, telephone number and email address of your employer, to the extent relevant;</li> </ul>
<b>identifier information</b>	<ul style="list-style-type: none"> <li>• your passport or national identity number;</li> <li>• utility provider details; bank statements; tenancy agreements;</li> <li>• your account information (including phone number, handset type, handset model, whether you are a prepaid or post-paid customer, dates of payment owed and received, TopUp information, the</li> </ul>

Airtime Collections Africa Mobile (Pty) Ltd

12a Growthpoint Business Park, 162 Tonetti Street,  
Midrand, Guateng, 1685, South Africa

Reg: 2018/541835/07  
<http://www.africamobile.co.za>

	subscription services you use or any other information related to your account);
<b>consents</b>	<ul style="list-style-type: none"> <li>• records of any consents you agreed with (together with the date and time, means of consent and any related information);</li> <li>• any other consent forms at our premise(s) and/or on our Website Services;</li> </ul>
<b>payment details</b>	<ul style="list-style-type: none"> <li>• your billing address; payment method;</li> <li>• your bank details and bank account number or credit card number;</li> <li>• invoice records; payment records; payment amount; payment date;</li> </ul>
<b>content and advertising data</b>	<ul style="list-style-type: none"> <li>• records of your interactions with our advertising on Website Services and its content;</li> <li>• any interaction you may have had with such content or advertising (including, but not limited to, mouse hover, mouse clicks and any forms you complete);</li> </ul>
<b>subscriber details</b>	<ul style="list-style-type: none"> <li>• any information that you may provide to us when filling out our subscriber Contract;</li> <li>• any information that you may provide to us when filling out our credit verification documents;</li> </ul>
<b>data relating to your visits to Website Services</b>	<ul style="list-style-type: none"> <li>• your device type;</li> <li>• operating system;</li> <li>• browser type; browser settings;</li> <li>• IP address; login details;</li> <li>• language settings;</li> <li>• dates and times of connecting to the Website Services;</li> <li>• any other technical communications information;</li> </ul>
<b>data relating to your contacts with us</b>	<ul style="list-style-type: none"> <li>• your contacts with us including notes or recordings of a call you make to our contact centre;</li> <li>• an email or letter you send to us;</li> </ul>

	<ul style="list-style-type: none"> <li>any other records of any contact you have with us, including where you visit our premise(s) where CCTV cameras are installed;</li> </ul>
<b>information on how you use our services and/or products</b>	<ul style="list-style-type: none"> <li>the phone numbers that you call or send messages to (or the phone numbers that you receive calls and messages from);</li> <li>the date, time and length of the calls and messages you send or receive through our network, and your approximate location at the time these communications take place;</li> <li>the level of service you receive – for example, network faults and other network events which may affect our network services;</li> <li>your online browsing information (which includes information about the Website Services you visit), and about how you use our Website Services on your mobile devices or a PC;</li> <li>browsing history (which includes the date, time and length of your internet browsing, and your approximate location at the time of browsing);</li> <li>your preferences for particular products, services or lifestyle activities based on the information provided by you to us or when we assume what they are based on your usage of our products and/or services.</li> </ul>
<b>opinions</b>	<ul style="list-style-type: none"> <li>your opinions, when you choose to complete one of our surveys</li> </ul>

## 6. HOW WE COLLECT PERSONAL INFORMATION

- Africa Mobile collects your Personal Information mainly to provide our services and products to you. We may collect your Personal Information to help improve our services and products.
- The Personal Information Africa Mobile collects can vary depending on the following:
  - the services and products that you use and subscribe to; how you have used our services and products, including when you visit our premise(s);
  - how you have interacted with Africa Mobile even if you are not our customer;

- 3) what Africa Mobile obtained from a third party with permission to share your Personal Information with us (including law enforcement agencies and credit bureaus);
- 4) when a competent person has given the requisite consent to Africa Mobile to process the Personal Information of a child;
- 5) when you make your information public; and
- 6) when we create Personal Information about you such as records of your communications and interactions with Africa Mobile (e.g. subscription, digital marketing campaigns);
- 7) when we create Personal Information in the course of applying for a job with Africa Mobile.

## **7. WHY WE PROCESS YOUR PERSONAL INFORMATION**

1. Africa Mobile uses, analyses and processes your Personal Information where we are providing services and products to you.
2. We will use your Personal Information only for the purpose for which it was primarily collected.
3. We will use your Personal Information for a secondary purpose only if such purpose(s) constitute(s) a legitimate interest and is closely related to the primary purpose for which we collected your Personal Information or you have given us express permission to do so.
4. We process your Personal Information during the course of various activities, including, without limitation, the following:
  - 1) credit checks, verifications and assessments including, but not limited to, obtaining your credit information and records;
  - 2) to process the services and products you have subscribed for or have used, and keep you updated with your order progress;
  - 3) to provide the relevant service or product to you. This includes services that use information about where you are when using your mobile equipment (location information) and to contact you with messages about changes to the product or service;
  - 4) to bill you for using our services and products;
  - 5) to administer our Website Services and help us improve our products and services;
  - 6) to compile and share your Personal Information that has been collected and processed as a result of using our services and products;
  - 7) to send direct marketing communications as outlined in clause 15 below;
  - 8) provide aggregated reports to third parties within the ambits of the law;

- 9) compile credit and financial reports which may be shared with third parties to the extent that the law permits;
- 10) compliance with applicable law and fraud prevention, including updating customer records;
- 11) recruitment, training, research and statistical analysis with the aim of improving our products and services;
- 12) send you marketing material in relation to our services and products;
- 13) contact you with offers or promotions based on how you use our products and services. These include your calling and messaging activities, location information and browsing information (unless you choose not to receive these messages);
- 14) we may process your Personal Information for safety and security purposes, including to prevent and detect fraud or other crimes;
- 15) respond to any questions or concerns you may have about using our Website Services, services or products;
- 16) we will let you know about other Africa Mobile Group services and products we think may interest you;
- 17) protect our network and manage the volume of calls, texts and other use of our network. For example, we identify peak periods of use so we can try and ensure the network can handle the volume at those times;
- 18) understand how you use our network, services and products;
- 19) we may ask you if you would like to provide us with your opinion on our services and products by completing a survey;
- 20) we may use your Personal Information for further specific purposes made clear at the point of collection on particular pages of our Website Services.

## **8. DISCLOSURE OF YOUR PERSONAL INFORMATION**

1. Africa Mobile may disclose your Personal Information to third parties, included Africa Mobile Stakeholders and Africa Mobile Group, for legitimate business purposes, in accordance with applicable law.
2. We may in addition disclose your Personal Information:
  - 1) to legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation; and any relevant party for the purpose of the prevention, detection, investigation or prosecution of criminal offences or to execution of criminal penalties;

- 2) where applicable, to the accredited credit and debt recovery agencies;
  - 3) to third parties and services providers (including, but not limited to: telecommunication operators, data hosting services, logistics partners, other trusted entities and parties),
  - 4) to any relevant third party provider, where our Website Services use third party advertising, plugins or content.
3. If we engage a third parties to process any of your Personal Information, we will ensure that those third parties have adopted similar protection as provided for in the POPIA and applicable law. We will review our contractual relationships with third parties we engage and, to the extent required by any applicable law, we will require such third parties to be bound by contractual obligations to:
- 1) only process such Personal Information in accordance with our prior written instructions; and
  - 2) use appropriate measures to protect the confidentiality and security of such Personal Information.

## **9. SHARING YOUR PERSONAL INFORMATION**

1. Africa Mobile may share your Personal Information with:
  - 1) the Africa Mobile Group, located across the globe, including but not limited to the European Economic Area, for reporting purpose and where those entities are involved in providing our services and products that you have subscribed for.
  - 2) Africa Mobile Group partners, suppliers, agents and other operators involved in delivering our services and products you've subscribed for, ordered or used;
  - 3) where applicable, credit reference, fraud prevention or business scoring and other credit scoring agencies;
  - 4) where applicable, anti-fraud debt collection agencies or other debt recovery organisations;
  - 5) law enforcement agencies, government bodies, regulatory organisations, courts or other public authorities if we have to, or are authorised to by law; a third party or body where such disclosure is required by law, or other legal or regulatory requirements;
  - 6) emergency services (if you make an emergency call), including your approximate location;
  - 7) where applicable, our partners and third parties if we promote jointly our services and products;
  - 8) other parties if required by law.
2. We will release information if it's reasonable for the purpose of protecting us against fraud, defending our rights or property, or to protect the interests of our customers.
3. Where appropriate, if we share your Personal Information with third parties, we will ensure that this third party has adopted similar protection as provided for in the POPIA and applicable law.



## 10. INTERNATIONAL TRANSFER OF YOUR PERSONAL INFORMATION

1. Africa Mobile may share your Personal Information to recipients outside of the Republic of South Africa.
2. Africa Mobile may transfer your Personal Information outside of the Republic of South Africa. If we do so we will ensure that the country to which your Personal Information is transferred, has adopted similar protection as provided for in the POPIA.
3. We will take all steps reasonably necessary to ensure that your Personal Information is treated securely and in accordance with this Policy.

## 11. DATA ACCURACY, MINIMISATION AND RETENTION

1. The Personal Information provided by you to Africa Mobile should be accurate, complete and up-to-date. You should notify Africa Mobile of its change and provide us with the accurate data where your Personal Information change.
2. Africa Mobile will restrict the collection and processing of your Personal Information to data which is sufficient for the fulfillment of the primary purpose and applicable legitimate process.
3. Africa Mobile will only retain and store your Personal Information as long as necessary for the fulfilment of those purposes.

## 12. YOUR LEGAL RIGHTS

1. **You have right to:**
  - 1) access to your Personal Information;
  - 2) ask Africa Mobile to rectify, erase and restrict of your Personal Information;
  - 3) request, at any time:
    - the confirmation that Africa Mobile hold your Personal Information;
    - the identities or categories of third parties to whom Africa Mobile has disclosed your Personal Information;
    - that Africa Mobile corrects or deletes any Personal Information that is incomplete, misleading, inaccurate, excessive or out of date.

2. You have also the right to object to your Personal Information being used by us. This includes the right to object to transfer your Personal Information and to withdraw consent to the use of your Personal Information. Please be advised that where you object to transfer your Personal Information or withdraw your consent to the use of your Personal Information, Africa Mobile may no longer be able to provide you with the information, services and products you have requested.
3. Requests as stated in point 2 above, can be made as indicated in clause 2 point 1.
4. Your rights as set out above may in certain circumstances be limited if Africa Mobile has legal grounds to process your Personal Information.
5. You have the right to lodge a complaint (or if you believe that your Personal Information processing does not comply with the POPIA), with the Information Regulator.

The Information Regulator can be contacted as follows:

- 1) **as per their website:** <https://inforegulator.org.za>
- 2) **by email:** [POPIAComplaints@inforegulator.org.za](mailto:POPIAComplaints@inforegulator.org.za)
- 3) **in writing at:** The Information Regulator, JD House, 27 Stiemens Street, Braamfonstein, Johannesburg, 2001;
- 4) **phone:** 010 023 5200.

### 13. COOKIES AND SIMILAR TECHNOLOGIES

1. “Cookies” are small text files that can be used by websites so that users can use the sites more efficiently. The law states that we can store cookies on your device if it’s necessary for the operation of this website. For all other types of cookies, we need your permission.
2. If you choose to enable “cookies”, you will be still able to use our Website Services, however it will restrict performance of our Website Services and some of its functionalities.
3. We use “cookies” to enhance our Website Services relevant to your interests and your needs. We use cookies to personalize content and advertising, to offer social features, and to analyse traffic to our Website Services.
4. We share information about how you use our Website Services with social, advertising and analytics partners. Partners may combine this information with other data they receive from you or that they obtain when you use their services. Africa Mobile is not responsible for the content of, or external web services offered by those sites.
5. Our Website Services use different type of cookies. Some cookies are placed by third-party services that appear on our pages.

6. In the event that the Website Services contain hyperlinks to third party sites not controlled by Africa Mobile, we are not responsible for the content of or the services and products offered by those sites. These cookies may be used by those entities to build a profile of your interests and show you relevant advertisements on other sites. You access those site at your own risk and Africa Mobile recommends that you check their policies before you visit those sites. If you will not accept those “cookies” you will experience less targeted advertising.
7. You can withdraw your consent at any time in the cookie settings on our Website Services.

#### **14. SECURING YOUR PERSONAL INFORMATION**

1. We implement appropriate technical and organisational security measures to protect your Personal Information that is in our possession from unauthorised access, accidental loss, disclosure, or destruction.
2. We are required in terms of POPIA to notify you and the Information Regulator, if any of your Personal Information has been compromised. In the unlikely event of such access, Africa Mobile will notify you, where possible, (via SMS, email or using the address you have provided Africa Mobile with), within a reasonable time of becoming aware of such unauthorised third party access to your Personal Information.
3. We store your Personal Information on secure computers in a locked and certified information centre and information is encrypted wherever possible. Further, we undergo periodic reviews of our security policies and procedures to ensure that our systems are secure and protected.
4. Communications over the internet (e.g. emails) are not secure, unless they have been encrypted. We will never ask you for your Personal Information by an unsolicited means of communications. If you received such communications please do not respond or do not click suspicious links – this is an attempt to defraud your data. We are not responsible for any compromise of your Personal Information if that is beyond our control.

#### **15. DIRECT MARKETING**

1. Your Personal Information will be used to contact you to keep you informed about our existing or new services, products and promotions (“direct marketing”), only if you consent to it.
2. Africa Mobile may, if you agree to do so, send you newsletters and occasionally invite you to participate in market research.
3. We may also, with your consent, contact you to let you know about Africa Mobile Group services and products.

4. We may use various means of communications to send you such marketing material, including by email, post, phone, text, picture message or push notifications through our apps.
8. You may opt out of these marketing campaigns for free at any time. You can opt out on our Website Services, or you may amend or remove your preferences by selecting unsubscribe option on any email that we send to you.

## **16. FINAL PROVISIONS**

1. This Policy must be read together with any other legal notices and/or terms and conditions provided or made available to you on other pages of Africa Mobile's Website Services, as well as when you download any one of Africa Mobile's apps and/or when you complete and/or use any documents provided to you in respect of any of Africa Mobile's products and/or services.
2. This Policy shall be governed by and construed and interpreted in accordance with the laws of the Republic of South Africa.
3. The terms and conditions of this Policy are severable, in that if any provision is found to be unlawful or unenforceable by any court of competent jurisdiction, then such provision shall be deemed to have been deleted without affecting the remaining provisions of the terms and conditions.