

## 1. CUSTOMER INFORMATION PRIVACY NOTICE

- MTN values its relationship with customers, respects their right to privacy and will protect customers' Personal Information as prescribed by the Protection of Personal Information Act 4 of 2013 ("PoPIA").
- To illustrate the above, we created this Customer Information Privacy Notice, to notify you of the types of Personal Information we collect from you, the circumstances under which we collect and process it, how we treat your Personal Information and when we share it with third parties.
- MTN strives to protect your Personal Information by using reasonable measures while you interact with our website, that is, [www.mtn.co.za](http://www.mtn.co.za) and associated websites, mobile applications, products and services.
- In our efforts to ensure that customers' Personal Information receives the protection it deserves, MTN established an Information Privacy Office responsible for purposes of managing customer privacy issues such as notifying and educating employees, stakeholders and customers with respect to the requirements of PoPIA within the organisation. In addition to this, MTN's Information Privacy Office developed policies, processes, guidelines and procedures to ensure compliance with the PoPIA, including but not limited to the implementation of security safeguards and lawful processing of Personal Information.

## 2. WHO WE ARE

We are Mobile Telephone Networks (Pty) Ltd ("MTN"), and we operate communication services under the Electronic Communications Network Services (ECNS) license granted to us.

Our details are as follows:

<b>Company name:</b>	Mobile Telephone Networks (Pty) Ltd
<b>Registration number:</b>	1993/001436/07
<b>Postal address:</b>	Private Bag 9955, Cresta, 2118

<b>Physical address:</b>	Innovation Centre, 216 – 14th Avenue, Fairland, Roodepoort, 2195
<b>Information Officer:</b>	Graham de Vries
<b>Information Officer phone number:</b>	011 912 3000
<b>Information Privacy Officer:</b>	Reshma Soma
<b>Information Privacy Officer email:</b>	<a href="mailto:PoPI@mtn.com">PoPI@mtn.com</a>
<b>MTN contact email:</b>	<a href="mailto:Customercare@mtn.com">Customercare@mtn.com</a>
<b>Websites:</b>	<a href="http://www.mtn.co.za">www.mtn.co.za</a> and <a href="http://www.mtnbusiness.co.za">www.mtnbusiness.co.za</a>

### 3. KEY DEFINITIONS

Here are some key definitions in order to understand our Notice:

#### 3.1 Who is a customer?

A customer is a natural person (i.e. an individual) or juristic person (i.e. an organisation) who enters into a contract with MTN for the use of our services or products, for their own use (or as part of an integrated solution) provided by us.

Customers who are natural persons must be 18 years or older.

#### 3.2 Who is a user?

A user is a natural person or member of an organisation who uses our websites, applications, products and services. We distinguish between a user and customer, as a user is anyone who is able to access our websites, however they may not yet be a subscribed customer or corporate user.

Although a user may include a child under the age of 18, such a user cannot be regarded as a customer and does not have the capacity to

contract with us or give consent where required, without the assistance of a competent person (parent or guardian).

### *3.3 Who is an operator?*

An operator is a legal entity that resells MTN's products and services to you. MTN is also an operator when it sells products and services to you.

MTN may sell its services via third parties such as Resellers and Onbillers after an onboarding process and MTN ensures adequate PoPIA clauses are contained within the contract to protect customers' Personal Information.

## **4. YOUR PERSONAL INFORMATION AT MTN**

This section illustrates your Personal Information rights as a data subject, the type of Personal Information we collect from you, the circumstances under which we collect and process it, how we treat your Personal Information and when we share it with third parties. We also provide you with guidance on how to exercise your Personal Information rights.

### *4.1 What are your rights as a data subject?*

Data Subjects (that is, customers, employees or third parties of MTN) have the following rights in terms of the PoPIA:

- Processing of your Personal Information must be lawful.
- Not to receive unsolicited direct electronic marketing unless certain conditions are met.
- Not be subjected to a decision, solely on the basis of automated decision-making.
- To have your Personal Information collected directly from you.
- To be notified in advance of the reason for the collection and processing of your Personal Information.

- To submit a complaint to the Information Regulator regarding the protection of your Personal Information in terms of PoPIA.
- To be notified if your Personal Information has been compromised.
- To institute civil proceedings regarding the protection of your Personal Information.
- To be notified if your Personal Information has been shared with a third party.
- To request the deletion of some or all of your Personal Information stored by MTN.
- To request confirmation on what Personal Information is being held about you by MTN or a third party.
- To request access to your Personal Information held by MTN.
- May object to the unlawful processing of your Personal Information.
- May object to direct marketing.
- May withdraw/ change your consent to direct marketing preferences at any point in time.
- To request an amendment to the Personal Information being held about you (e.g updates).

## *4.2 What Personal Information we collect about you*

### *4.2.1 General Personal Information*

Personal information is information which identifies you as a data subject. The personal information we collect may include:

- Information relating to your financial or employment history.
- Any unique identifying number or symbol such as your cell phone number, account number, handset serial number, e-mail address, physical address, telephone number, location information, online identifier, or other assignment to you.
- Your biometric information, which while processed, is encrypted and is utilised for identity verification.

- Any correspondence sent by you that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.
- CCTV footage (which includes video recordings of you) monitoring our stores, parking lots and MTN office buildings for security purposes.

In summary, we collect Personal Information which might include Special Personal Information, for instance biometric information when we contract with you.

#### 4.2.2 Cookies

Whilst you are making use of any of our websites or applications, we automatically collect Personal Information such as your IP address, your browser type, your operating system, your mobile carrier, your ISP, the URLs of sites from the time you arrive or leave the website, mobile applications and sites that have our platform technology embedded. Through cookies and other technologies, we can recognise you as an existing or registered user of our website and/or mobile application.

A cookie is generally a tiny data file that resides on your computer, mobile phone, or other device, and allows us to recognise you as a user when you return to our online store website using the same device and web browser.

We offer you the opportunity to accept or reject cookies being collected when you visit our website.

#### *4.2.3 Widget*

MTN's application widget solution makes use of secure location-based systems to enable prepaid customers to qualify for Zone prepaid location-based discount and promotions. The location updates of such a Zone user are automated on the user's device widget where they have downloaded the MTN application and signed up as a Zone user. Should you object to the processing of this location-based data, this solution will not be capable of performing on your mandate.

Such location-based data is used exclusively for the purpose of enabling the MTN Zone product. Access to such information is strictly limited to the systems and platforms integrated into one another to enable the solution.

You may be requested to provide your Personal Information on some websites or mobile applications, which are relevant to the type of services and/ or products that a customer applies to use.

#### *4.3 Collecting your Personal Information directly from you*

We will always collect your Personal Information directly from you; however, exceptions may occur as provided for in PoPIA.

In the event that we don't collect your Personal Information directly from you, but from another source, we will take reasonably practicable steps to notify you of the source of such information where required.

#### *4.4 The purpose for collecting your Personal Information*

MTN will collect and process Personal Information in the ordinary course of business of providing products and services.

We will collect only adequate and relevant Personal Information necessary for the purpose for which you have mandated us.

#### *4.5 Sharing your Personal Information with our operators / third parties*

We share your Personal Information with our third parties. These third parties follow an onboarding process and MTN ensures that adequate data protection clauses are contained within the contract.

They have access to the Personal Information needed to perform their function. The third party categories include those that:

- will fulfil your product order.
- implement ICT services provided under a master service agreement or source products or service from other third parties.
- perform billing services on MTN's behalf.
- will deliver your bill to you, where applicable.
- may receive your payments on MTN's behalf.
- processes credit card payment.
- perform online services on our websites, applications, products and services.
- we are required to share your Personal Information, as a result of your application to port your mobile number (to another network operator).
- we sell digital products, services and bill digital subscriptions on their behalf.

We will also obtain your consent for third parties to provide us with credit vetting services to assess your financial status, in order to provide services to you.

*4.5.1 We use a third party to verify your identity to ensure compliance with legal requirements.*

We are required to validate your identity and your address to comply with RICA legislation, as well as comply with FICA, when supplying financial services.

We are not able to deliver our products and services to you without the assistance of these third parties. Should you object to any of the above processing, we may not be able to provide services to you.

#### *4.5.2 Third Parties to pursue legitimate interests*

The third parties we appoint may assist us in pursuing our legitimate interests.

#### *4.6 Automated decision-making*

We will not process your Personal Information solely on the basis of the automated processing:

- which will result in legal consequences for you; or
- which will affect you to a substantial degree; and
- which is intended to profile you,

without giving you prior notice of such processing and by giving you an opportunity to make a representation, once we have explained the underlying logic of the automated decision making.

#### *4.7 Your consent*

##### *4.7.1 Consent to receive direct marketing*

You have the right to choose whether you wish to receive direct marketing. You are given the opportunity to do so upon your first engagement with us, when you sign up for your contract. Alternatively, if you are making use of our prepaid services, we



will afford you the opportunity to do so as soon as we notify you that your service has been activated.

We may send you direct marketing messages on related services, products and offerings provided by us, subject to you being given a reasonable opportunity to object to receiving it, when we collected your details.

We will advise you when direct marketing is from MTN, and provide you with the option to opt out of receiving such messages, according to the category of direct marketing you have selected.

If we wish to market a new product or service to you and we have no record of your consent preferences, we will contact you once to establish this and update our records.

Should you opt in to receiving any direct marketing and you change your mind at any time, you are always able to opt out of a specific category of direct marketing by making use of:

- the MyMTN application, or
- the USSD menu at \*135#, or
- making use of our contact centre (via an online contact form or calling the contact centre at 135 if you are calling from an MTN number or dial 083 135 if not from an MTN number).  
Note: this option will not be a real time update and normally takes 48 hours to be updated on all our relevant platforms.

#### *4.7.2 Regulatory communications*

We comply with the direct marketing provisions of PoPIA, the Consumer Protection Act No 68 of 2008 ("CPA") and the ICASA regulations. In terms of the CPA and ICASA Regulations, we are mandated to send you certain messages for example contract expiry notifications and data depletion notifications. These messages do not constitute direct marketing. Therefore, we as MTN, or our authorised third parties may contact you to discuss your upgrade options when your contract is about to expire or to notify you of your data depletion status.

#### *4.7.3 Your consent, if necessary, for further processing*

Should MTN further process your Personal Information, MTN will ask you for your consent, unless it is not compatible with the purpose for which we originally collected that specific Personal Information.

#### *4.7.4 Consent to process a child's Personal Information*

Should MTN be required to process a child's Personal Information because they want to use one of our products or services, you must provide us consent as a competent person (the parent or guardian), before we can process any of the child's Personal Information.

#### *4.7.5 Consent to process Special Personal Information*

Unless we do not have another lawful ground as set out in PoPIA or other relevant legislation, should we need to process Special Personal Information such as, amongst others, your biometric fingerprints, we will first obtain your consent before we do so.

#### *4.7.6 Internal transfer of your Personal Information*

We may transfer your Personal Information between our departments. This forms part of their legitimate operational activities required to deliver your product or service.

#### *4.7.7 Cross boarder transfer of your Personal Information to third parties*

We will ensure compliance with PoPIA in relation to any cross-border transfers of Personal Information. For example, we will ensure that the third party who is the recipient of the information is subject to a law or binding agreement which provides for an adequate level of protection similar to PoPIA.

#### *4.8 How MTN protects your Personal Information*

Maintaining the security of your Personal Information is important to us. Reasonable practical security safeguards have been implemented to protect your Personal Information from loss, damage or unauthorised destruction and unlawful access.

### **5. ACCESS TO YOUR INFORMATION**

MTN is obliged to provide clear guidance to customers on how to access their information and how to exercise their rights in terms of the relevant legislation. In our efforts to satisfy these requirements, we have published a PAIA Manual.

### **6. EXERCISE YOUR PERSONAL INFORMATION RIGHTS**

As a data subject you have several rights, which are listed below. The rights referred to below, also apply to corporate users. If you are a corporate user, you will be required to approach your authorised corporate representative who will engage with MTN on your behalf, subject to the corporate's approval.

### *6.1 Request access to your Personal Information in terms of PAIA*

You can review your Personal Information provided to us by using the MyMTN application or MyContract and make any necessary changes, subject to it not impacting our continued ability to deliver your products and services, which you have mandated us to provide. You can ask us to correct any information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully.

Alternatively, you can call the contact centre on 135 (if using an MTN number) or submit requests making use of the contact form on our website, once you have provided adequate proof of identity.

The Information Regulator requires the process to confirm that we have records containing your Personal Information, to be formalised. You will be advised in writing of how to go about the process of requesting access to your Personal Information and/ or updating your information once you have contacted us. Copies of the forms and details of the process can also be found in our PAIA Manual.

Please be aware that even after your request for a change is processed, we may, for a time, retain residual information about you in the form of a backup and/or archival copies in our database.

### *6.2 Request confirmation of your Personal Information we have on our records*

You are entitled to request us to confirm what Personal Information we have on record of you. This will be completed within a reasonable timeframe once your identity has been confirmed. Thereafter you may request copies of these records if you need to see them physically.

They will be provided in electronic format. If you wish to receive them in hard copy, we will provide you with a quote in advance indicating how much it will cost you and you will need to confirm and approve this in

writing before we will process the request, again within a reasonable period. Refer to Annexure A below for the relevant guiding template you can use to log your request with us.

### *6.3 Request to update or rectify your Personal Information we have on our records*

You may request that your Personal Information is corrected if you believe it is inaccurate, misleading, or out of date. Read more on the process and applicable form you can use to lodge your request with the Information Regulator by clicking [here](#) or refer to Annexure B below for the relevant guiding template you can use should you wish to channel your request directly to us.

### *6.4 Request to delete or destroy your Personal Information we have on our records*

You may request that we delete and/ or destroy any of your Personal Information, provided that your contract has come to an end, and you are no longer using our products or services. You can also ask us to delete any information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully regardless of the status of your relationship with us.

We will however retain and use your Personal Information for as long as is necessary to comply with our legal and legitimate business obligations, resolve disputes and enforce this Notice.

We may refuse your request to delete records containing Personal Information in our possession or control where we need to keep it because:

- retention is required or authorised by law;
- we require it for a lawful purpose related to our business activities; and
- it is required by our mutual contract.

We can retain your records for longer than necessary to achieve the purpose for which we originally collected and processed your Personal Information, if it is for historical, statistical or research purposes, and we establish appropriate safeguards against your records being used for any other purpose.

The same process as mentioned above will be followed with all requests being confirmed in prescribed formats as required by the Information Regulator. We will notify you in writing within 30 calendar days whether your request has been approved or denied after we have received your request for deletion or destruction of a record containing your Personal Information. Read more on the process and applicable form you can use to lodge your request with the Information Regulator by clicking [here](#) or refer to Annexure C below for the relevant guiding template you can use should you wish to channel your request directly to us.

Where we use your Personal Information records to make a decision about you, we will keep that information for as long as it is needed, or it is prescribed by law or a code of conduct. If there is no law or code of conduct prescribing the retention period, we will keep the records for as long as is necessary to enable you a reasonable opportunity to request access to the records, bearing in mind the use of the Personal Information.

We will destroy or de-identify your Personal Information records as soon as reasonably practicable after we are no longer authorised to keep them. Destruction will be done in a manner that the records cannot be reconstructed in an intelligible form.

#### *6.5 Object to the processing of your Personal Information*

You may object to the processing of your Personal Information.

This objection can be lodged at any time, in the prescribed manner on reasonable grounds relating to your circumstances, unless legislation

provides for the processing and the lawful processing before the withdrawal relating to the above, won't be affected.

Read more on the prescribed manner in which you may object to the processing of your Personal Information and the applicable form you need to use to lodge your objection with the Information Regulator by clicking [here](#) or refer to Annexure D below for the relevant guiding template you can use should you wish to channel your objection directly to us.

#### *6.6 Report any Personal Information incident with us*

Please contact us via our call centre, by dialling 135 (or 083 135 if you are not using an MTN number) or sending us an email to [customercare@mtn.com](mailto:customercare@mtn.com) or [PoPI@mtn.com](mailto:PoPI@mtn.com) to inform us about the PoPI incident, if you:

- believe your MTN website and/or mobile application account has been compromised.
- have been contacted by someone about your MTN websites, applications, products, services, your account, asking for a password, date of birth or any other Personal Information.
- believe your Personal Information has been used for fraudulent activity.
- are a member of the security community and need to report a technical vulnerability.
- have any other enquiry relating to information privacy and security at MTN.

#### *6.7 Notification of security compromises*

We will notify you as soon as reasonably possible where we have reasonable grounds to believe that your Personal Information has been accessed or acquired by an unauthorised party, unless we cannot identify who has been impacted by the unauthorised access or if a public body

such as the South African police indicates that disclosure may impede a criminal investigation.

*6.8 Lodge a complaint with the Information Regulator should you feel that we have breached any of your PoPIA rights*

Should you feel that any of your Personal Information rights have been breached, you may lodge a complaint with the Information Regulator. See below a link to their website, physical address, and email address you can use to lodge your complaint. Read more on the process you can follow to lodge your complaint with the Information Regulator by clicking [here](#).

Website URL:	<a href="https://inforegulator.org.za/">https://inforegulator.org.za/</a>
Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Email:	POPIAComplaints@inforegulator.org.za

***Right to amend this Notice***

*MTN may, at any time, change this Notice by posting the amended Notice on [www.mtn.co.za](http://www.mtn.co.za) located under the Privacy Policy page. Unless otherwise stated, the current version will apply each time you access this website.*

*Dated: October 2023*



**Annexure A**

Herewith an example of the letter you can send to us in order to submit your request for confirmation of what Personal Information we have on our records:

**Attention: The CSO Complaints and Service Recovery Team**

**Date: <insert date>**

Dear CSO Contact Agent

[customercare@mtn.com](mailto:customercare@mtn.com)

[PoPI@mtn.com](mailto:PoPI@mtn.com)

**Confirmation of Personal Information and/ or records**

I hereby request MTN to confirm whether any Personal Information or records containing my Personal Information is in their/its possession or control relating to the below:

**Your Details (or person to whom this request relates)**

Name and Surname / Organisation Name		ID / Passport Number / Company Registration	
Account number	<insert account number> relating to MSISDN (mobile no.)	Mobile number	
Other contact Number(s)		Address	
Email			

I acknowledge that confirmation of this information is free of charge, and should I elect to request copies of the records that the retrieval may take up to 30 calendar days.

I understand that should the information provided be inaccurate, that I can request MTN to correct, delete or destroy it. There may be some grounds upon which MTN may or must refuse my request and MTN will provide me with the details of this refusal in writing.

Regards

**Requester's Name and Signature**

## Annexure B

Herewith an example of the letter you can send to us in order to submit your request to rectify your Personal Information we have on our records should you believe that it is inaccurate, misleading or outdated.

**Attention: The CSO Complaints and Service Recovery Team**

**Date:** <insert date>

Dear CSO Contact Agent

[customercare@mtn.com](mailto:customercare@mtn.com)

[PoPI@mtn.com](mailto:PoPI@mtn.com)

### Correction of Personal Information

I hereby request MTN to correct the following Personal Information for the reasons indicated below.

#### Your Details

Name and Surname / Organisation Name		ID / Passport Number / Company Registration	
Account number	<insert account number> relating to MSISDN	Mobile number	
Other contact Number(s)		Address	
Email			
Detail to be corrected	From:	To:	

#### **Reason for correction (tick):**

Inaccurate:

Irrelevant:

Excessive:

Out of Date:

Incomplete:

Misleading:

Obtained Unlawfully:

Regards

**Requester's Name and Signature**

**Annexure C**

Herewith an example of the letter you can send to us in order to submit your request to delete or destroy your Personal Information we have on our records if you believe it is inaccurate, irrelevant, excessive, misleading, out of date, incomplete or unlawfully obtained:

**Attention: The CSO Complaints and Service Recovery Team Date: <insert date>**

Dear CSO Contact Agent

[customercare@mtn.com](mailto:customercare@mtn.com)

[PoPI@mtn.com](mailto:PoPI@mtn.com)

**Deletion or destruction of Personal Information**

I hereby request MTN to delete/destroy the following Personal Information for the reasons indicated below.

**Your Details**

Name and Surname / Organisation Name		ID / Passport Number / Company Registration	
Account number	<insert account number> relating to MSISDN (mobile number)	Mobile number	
Other contact Number(s)		Address	
Email			
Detail to be deleted or destroyed	What detail?	<b>Reason for deletion/destruction (tick):</b> Inaccurate: <input type="checkbox"/> Irrelevant: <input type="checkbox"/> Excessive: <input type="checkbox"/> Out of Date: <input type="checkbox"/> Incomplete: <input type="checkbox"/> Misleading: <input type="checkbox"/> Obtained Unlawfully: <input type="checkbox"/>	

I acknowledge that there may be some grounds upon which you may or must refuse to delete or destroy the information. You will provide me with the details of this refusal in writing.

Regards

**Requester's Name and Signature**

## Annexure D

Herewith an example of the letter you can send to us to submit your request to object to the processing of your Personal Information we have on our records.

**Attention: The CSO Complaints and Service Recovery Team Date: <insert date>**

Dear CSO Contact Agent

[customercare@mtn.com](mailto:customercare@mtn.com)

[PoPI@mtn.com](mailto:PoPI@mtn.com)

### **Objection to the processing of your Personal Information**

I hereby object to the processing of my personal information for the reasons indicated below.

#### **Your Details**

Name and Surname / Organisation Name		ID / Passport Number / Company Registration	
Account number	<insert account number> relating to MSISDN (mobile number)	Mobile number	
Other contact Number(s)		Address	
Email			

#### **Reasons for objection (Please provide detailed reasons for the objection)**

You will provide me with the details of this objection in writing.

Regards

**Requester's Name and Signature**