

Third Party Information Privacy Notice (the Notice)

For the purposes of this document a Third Party includes all parties external to MTN SA whether a juristic entity or a natural person supplying a product or service to MTN SA because of a formalised agreement. This then includes but is not limited to contractors, vendors, suppliers, and partners.

Note: “You” means you the reader, reading this document in your capacity as an authorised representative of your company, the Third Party or as a natural person providing a product or service.

Background

The Third Party Information Privacy Notice explains how MTN Processes your Personal Information, as is required by the Protection of Personal Information (PoPI) Act 4 of 2013. MTN is committed to protecting Third Party information privacy and to ensure that your Personal Information is Processed properly, lawfully, and transparently.

To whom does this Notice apply?

All prospective, existing, and former MTN SA Third Parties, during and after contracting with MTN SA including Third Parties’ consultants and staff members.

Who we are (MTN South Africa and the MTN Group)

MTN refers to Mobile Telephone Networks (Pty) Limited, registration number 1993/001436/07, situated at 216, 14th Ave, Fairlands. MTN is a limited liability private company duly incorporated in the Republic of South Africa and a member of the MTN Group Limited. MTN will be registered to process your Personal Information with the Information Regulator’s office.

Key Definitions

The following key terms should be read in conjunction with this Notice:

Term	Definition
Consent	Any voluntary, specific, and informed expression of will in terms of which permission is given by the Customer for the Processing of Personal Information
Data Subject	The person (natural or juristic) to whom Personal Information relates. In this respect the Third Party.
PAIA	The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).
Personal Information	Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person as defined in the PoPI Act.
Processing / Process of Personal Information	Any operation or activity or any set of operations, whether by automatic means, concerning company Personal Information, including— (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; (b) dissemination by means of transmission, distribution or making available in any other form; or (c) merging, linking, as well as restriction, degradation, erasure, or destruction of Personal Information.
Operator	A third party external to MTN who Processes your Personal Information for MTN in terms of a contract or mandate, without coming under the direct authority of MTN.
Responsible Party	A public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for Processing your Personal Information.

Term	Definition
Special Personal Information	<ul style="list-style-type: none"> ▪ The religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life / orientation or biometric Personal Information of a Data Subject, ▪ The criminal behaviour of a Data Subject to the extent that such information relates to: <ul style="list-style-type: none"> ▪ The alleged commission by a Data Subject of any offence; or ▪ Any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings.
Third Party	<ul style="list-style-type: none"> ▪ Any person or juristic entity who works for or provides services to or on behalf of MTN and receives, or is entitled to receive, remuneration and any other person who assists in carrying out or conducting the business of MTN on behalf of the Third Party. It includes, without limitation, directors (executive and non-executive), all permanent, temporary, and part-time staff, as well as contract workers appointed by the Third Party.

Personal Information Management

What is being collected?

MTN collects Personal Information about the Third Party that may be used in the procurement and contracting processes. This Personal Information includes, but is not limited to, details such as your company's registered name, registration number, director's names, identity numbers, addresses and other company details which could include financial information and banking details.

MTN also collects information about the usage of MTN information technology and electronic equipment including, but not limited to, telephone, internet usage and emails.

Where is Personal Information collected from?

MTN collects Personal Information directly from you during the on-boarding process, self-registration process, pre-qualification process and the procurement process where they provide us with your Personal Information. Where possible, we will inform you what Personal Information is mandatory and what Personal Information is optional. We also collect Personal Information about you from other sources with your permission such as third parties providing CCTV footage and biometric information and information technology equipment related to your employment or products and or services provided.

Why is Personal Information collected?

MTN collects your Personal information (including special company information):

- to carry out and manage business operations
- to fulfil contractual agreement(s)
- to administer the benefits and services to you
- for vetting and verification, occupational health administration; work management; business travel; corporate security; organisational charts; archiving emails for disaster recovery purposes, legal reporting obligations; and any other legitimate business interests.

Monitoring without notice

MTN will monitor your activity without notice when there are grounds for suspecting criminal activity or investigations and proceedings as well as regular auditing, when informing you about the monitoring would make it difficult to prevent or detect such wrongdoing.

To whom does MTN disclose your Personal Information?

MTN may disclose your Personal Information to the following recipients with your duly authorised Consent except when not required to do so by law or legal process.

- Internal MTN processing – Personal Information shared with other business units and the MTN Group.

- Subject to the provisions of the PoPI Act and related legislation, regulator's or judicial commissions of enquiry, any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules.
- South African Revenue Services, or any other Government authority.
- Third Parties with whom MTN has a contractual relationship for the retention of data and/or provision of relevant business services.
- Anyone making a successful application for access to information in terms of PAIA.

Safeguard your Personal Information

Maintaining the security of your Personal Information is important to MTN. Reasonable security safeguards have been implemented to protect your Personal Information. MTN uses various methods to protect your Personal Information such as:

- Encryption methods when transmitting payment information, such as your bank details.
- Sensitive data (such as banking information) is protected by SSL encryption when it is exchanged between your web browser and MTN.
- To protect any data, you store on our servers, MTN also regularly audits its systems for possible vulnerabilities and attacks.
- MTN maintains an Information Security Programme internally to ensure that your Personal Information is protected against unauthorised access, accidental loss or destruction.

If necessary, MTN requires Operators in South Africa to whom MTN transfers your Personal Information to agree to our information privacy principles, associated policies, and practices, which are no less than the minimum required by the PoPI Act.

Cross-Border data transfers

MTN may require the Processing of your Personal Information in other countries for business purposes. MTN shall not transfer your Personal Information to a country or territory outside of South Africa unless, that country or territory ensures an adequate level of protection of such Personal Information in relation to the Processing of Personal Information as adopted within South Africa and unless, an agreement setting out the terms and conditions of securing the integrity and protection of Personal Information commensurate to South African legislation is concluded between MTN and the third party to which the Personal Information is transferred.

Similarly, this third party may not transfer your Personal Information to another third party within that country or territory for the purposes of their Processing performing part of the third party's service to MTN, without prior written authorisation from MTN. This will ensure that all authorised third parties apply the same level of data security and protection as MTN on your behalf.

Internal MTN communication

MTN will use your Personal Information to send you MTN news, general communication, and internal marketing communications with your Consent, which will be obtained from you from time to time. During the tenure of your contract, MTN may collect videos and/or photographic pictures of your resources which may be published internally or externally with your Consent, including but not limited to the MTN website and MTN social media pages.

Rights to Privacy

Access to Personal Information

In addition to the rights that PAIA provides, you have the right to request a copy of your Personal Information that MTN holds about you or your company. Please note that any such access request may be subject to a payment of a nominal fee. MTN will take all reasonable steps to confirm your identity before providing you with details of your Personal Information.

Deletion or destruction of your Information

You may request that we delete and destroy any of your Personal Information if you have finalised your relationship with MTN. MTN will however retain and use your Personal Information for as long as is necessary to comply with our legal and business obligations, resolve disputes and enforce this Notice.

Quality of Personal Information

MTN has established procedures to ensure that your Personal Information is as accurate and complete as possible. You are encouraged to regularly check our records for accuracy and ensure any necessary amendments are made to bring your records up-to-date. Keeping your Personal Information up-to-date and accurate remains your responsibility. The necessary updates may be done through the self-service portal. Where such service is not available to you, you may notify the Procurement department or your allocated business partner account manager to make the necessary amendments. Some changes will only be made once the necessary supporting documentation has been obtained.

Reporting incidents

Please let us know immediately if you have reasonable grounds to believe that the Personal Information of an MTN customer has been accessed or acquired by any unauthorised person within your environment. In turn, MTN will in turn advise you immediately and keep you informed if there is a reasonable concern that your Personal Information may have been accessed by an unauthorised person.

Access to this Notice

You have the right to request a copy of this Notice.

Access to this Notice (language)

This Notice is documented in English. As required by law, this Notice must be provided in a language understandable to you. Should this not be the case, MTN may assist with translation and/or assist with reading this Notice to you. This may be necessary to overcome any language barriers or to cater for the visually impaired.

In the event of a Breach

MTN takes reasonably practicable security measures to ensure your information privacy. In the event of a Personal Information breach, a designated MTN official will conduct an internal investigation and provide you with details as to the status of your Personal Information.

Contact Details

For further information, queries, complaints, objections relating to the Processing of your Personal Information you may contact MTN or the Information Regulator's office using the following details:

MTN Contact Details	Information Regulator's Contact Details
Information Privacy Officer MTN Innovation Centre 216 14 th Avenue Fairlands popi@mtn.com	The Information Regulator (South Africa) SALU Building, 316 Thabo Sehume Street, PRETORIA Ms Mmamoroke Mphelo Tel: 012 406 4818 Fax: 086 500 3351 infoereg@justice.gov.za

Where is the Notice published?

An electronic version of this Notice is stored on the MTN website under the Information Privacy link at the foot of the main menu page.

Printed copies may be made available on request. The Third Party Information Privacy Notice always forms part of your registration process and the duty to familiarise yourself with this Notice rests with you, the Third Party.

Changes to this Notice

MTN reserves the right to amend this Notice at any time. All amendments to this Notice will be published on the mtn.co.za website. The current version shall always supersede and replace all previous versions of this Notice and the duty to familiarise yourself with amendments to this Notice rests always with you, the Third Party.

Applicable Laws

This Third Party Information Privacy Notice is governed by the laws of South Africa. Any disputes which may arise out of this Notice are subject to the jurisdiction of the South African courts.

Date of Last Update – 24 March 2021

Information Privacy Notice

AN IMPORTANT NOTICE CONCERNING YOUR INFORMATION PRIVACY

PLEASE READ THIS NOTICE CAREFULLY TO ASSIST MTN IN PROTECTING YOUR PERSONAL INFORMATION

1. Maintaining your trust and confidence is high priority. We want you to understand how we protect your information privacy when we obtain Personal Information about you and how we may use this and safeguard that information.
2. We obtain your Personal Information during the online self-registration process where applicable or at any time that you engage with us either via our website or any other channel.
3. We may disclose any\all the Personal Information that we obtain about you as required by the South African Revenue Services or any other legal body who has the right of access to your Personal Information and to any party as a result of a successful PAIA application.
4. We may disclose non-public Personal Information about you during your engagement, to the following types of parties:
 - a. Financial Institutions
 - b. Non-financial companies
5. We may disclose non-public Personal Information about you or your affiliates for the purposes of fulfilling your services as agreed in your contract, that we think may be of service to you during your contract term.
6. You are within your rights to request access to your Personal Information by sending a request to the MTN Information Privacy Office via the following email address: popi@mtn.com.

I agree

I do not agree