



**MOTOR INDUSTRY OMBUDSMAN
OF SOUTH AFRICA**

FOUNDER MEMBER OF THE OMBUDSMAN ASSOCIATION OF SOUTH AFRICA NPC
2001/004871/08

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PRIVACY STATEMENT

This Privacy Statement applies to you as a data subject using this website and establishes how your personal data is collected from or provided by you in using this website.

Our mandate

We collect and process your personal information, and further process your information, mainly to execute our mandate in terms of the provisions of Section 82(3) of the Consumer Protection Act, 68 of 2008 (CPA) and the ancillary South African Automotive Industry Code of Conduct (Code). The MIOSA is mandated to regulate relations between persons conducting business within the automotive industry and to provide for a scheme of alternative dispute resolution between consumers and all participants in the industry and to create an industry Ombud to provide alternative dispute resolution services.

The MIOSA is also mandated in terms of the Code to collect contributions from persons and/or entities conducting business within the automotive industry. Information enabling such collection is also collected and processed, and further processed if necessary.

We collect information directly from you, where you provide us with your personal and/or business' details. Where possible, we will inform you what information you are required to provide to us and what information is optional. With regard to the conducting of business within the automotive industry, we also collect information via field inspectors, the internet and social media platforms.

Important Terms

Unless inconsistent with the context, the words and expressions in this Privacy Statement have the meanings assigned to them in all policies, procedures, standards and guidelines adopted and published by the MIOSA.

"Applicable Laws" mean local, foreign and international laws, regulations, treaties and codes, for example the Financial Intelligence Centre Act 38 of 2001, the Consumer Protection Act, 68 of 2008, the National Credit Act 34 of 2005 and the Protection of Personal Information Act, 4 of 2013.

"Data Subject" means the person to whom the information relates.



“Personal Information” means information relating to a living person (including juristic) and includes, but not limited to race, gender, sex, marital status, financial, criminal and contact information, and excludes anonymous, de-identified, non-personal statistical, and public information;

“Processing” means the collection, receipt, recording, storing, distributing, updating, modifying, deleting, destroying or using of personal information;

“We”, “us”, “our” refers to the MIOSA; and

“You” means the reader of this policy.

The MIOSA Privacy Statement

1. The MIOSA respects your constitutional right of privacy and processes personal information lawfully and in a reasonable manner that does not infringe the privacy of data subjects.
2. The MIOSA is accountable for and processes personal data in compliance with the conditions and principles governing its lawful processing.
2. The MIOSA collects personal data for specific, explicitly defined and lawful purposes and does not further process personal data in a manner that is incompatible with those purposes.
3. The MIOSA only processes personal data that is adequate, relevant and not excessive for the purpose of the processing.
4. The MIOSA processes personal data transparently to the data subject and in a manner that is fair and does not infringe the privacy of the data subject.
5. The MIOSA does not process personal data unless it is lawfully justified to do so and where it relies on the justification of consent, such consent is freely given, specific, informed and is an unambiguous indication of the data subject’s wishes, indicated by a clear affirmative action.
6. The MIOSA collects personal data directly from the data subject unless it is permitted by law to collect the information from other sources.
7. The MIOSA takes appropriate measures to safeguard the integrity and confidentiality of personal data and to prevent its loss or damage, unlawful access and unauthorised destruction.
8. The MIOSA by written contract, binds third parties processing personal data on its behalf, to establish and maintain appropriate security safeguards as well as comply with the principles set out in this policy.



9. The MIOSA puts in place an incident management process that ensures timely notification of data protection authorities, and, when needed, the data subjects of a compromise to their personal data as required by law.
10. The MIOSA processes personal data transparently to the data subject and takes reasonably practicable steps to ensure that the information is accurate and kept up to date.
11. The MIOSA permits and facilitates data subjects to access their personal data and corrects or deletes information that is inaccurate, as required by law.
12. The MIOSA facilitates data subject objections to the processing of their personal information, where permissible, as required by law.
13. The MIOSA retains personal data as required by law or as may be reasonably required for lawful purposes, but not for any longer than is necessary to achieve the purpose for which the information was collected and processed.
14. The MIOSA avoids processing of special personal information unless necessary and in line with the authorisation requirements as required by law.
15. The MIOSA has appointed an Information Officer, who is authorised and empowered to fulfil the responsibilities stipulated in relevant legislation.

Amending this Privacy Statement

We may change this Privacy Statement. If we do so and it would materially affect your use of the website or your understanding of how we process your personal data, a notice will be published on our website indicating that a change has been made. It is your responsibility to check the website often.

Security and privacy on the website

We endeavour to keep our website secure at all times. We continuously implement technical and organisational security measures in order to protect the data we hold against unauthorised access as well as accidental or wilful manipulation, loss or destruction.

It is also important that you take all necessary and appropriate steps to protect your personal information yourself (for example, by ensuring that all login details, including passwords and access codes are kept secure).



We do however advise you that we cannot guarantee the security of any information provided to us or by us through our website, email, internet or social media. We cannot be held responsible for any loss or unauthorised use or interception of information transmitted via the internet which is beyond our control.

Retention of information

We may retain your personal information indefinitely, unless you object, in which case we will only retain it if we are permitted or required to do so in terms of Applicable Laws. However, as a general rule, we will retain your information in accordance with retention periods set out in Applicable Laws, unless we need to retain it for longer for a lawful purpose (for example, for the purposes of complaints handling, legal processes and proceedings).

Your Rights

Access to information

You have the right to request a copy of the personal information we hold about you. Refer to the MIOSA PAIA and POPIA Manual on our website for the steps to follow.

Please note that any such access request may be subject to a prescribed procedure and payment of a legally allowable fee.

Correction of your information

You have the right to ask us to update or correct your personal information. We would appreciate it if you would keep your personal information accurate.

Refer to the MIOSA PAIA and POPIA Manual on our website for the steps to follow.

How to contact us

If you have any queries about this notice, you need further information about our privacy policies, access or correct your personal information, please contact us at the numbers and/or addresses listed in the MIOSA PAIA and POPIA Manual on our website for the steps to follow.