

## **Disclaimer - Protection of Personal Information Act, 4 of 2013 (“POPI ACT”)**

By viewing this website, you hereby acknowledge that you have read and accept the following Protection of Personal Information disclaimer.

You understand and agree that all information provided, whether personal or otherwise, may be used and processed by the “owner” of this website and such use may include placing such information in the public domain.

Further by continuing to access this website you specifically agree that the RTMC will use such information provided by you, irrespective of the nature of such information.

The Road Traffic Management Corporation, established in terms of established in terms of the Road Traffic Management Corporation Act, 1999, (“**RTMC**”) shall take all reasonable measures to protect the Personal Information of users and for the purpose of this disclaimer “**Personal Information**” as defined in the **Promotion of Access to Information Act**, Act 2 of 2000 (“**PAIA**”) and the **Protection of Personal Information Act**, Act 4 of 2013 (“**POPI Act**”).

The **PAIA** and **POPI** Acts are available online at [www.gov.za/documents/acts](http://www.gov.za/documents/acts).

As per the POPI Act Personal Information refers to information that identifies or relates specifically to you as a person or data subject, for example, your name, age, gender, identity number and your email address.

### **1. DEFINITIONS**

- 1.1 “**Data**” means any Data, including personal Data as defined in the Electronic Communications and Transactions Act of 2002, the Protection of Personal Information Act of 2013, and any other legislation related to the protection of Data, supplied to the Service Provider by the RTMC or stored, collected, collated, accessed or processed on behalf of the RTMC by the Service Provider, if applicable;
- 1.2 “**Data Subject**” means the person to who the Personal Information relates;
- 1.3 “**IP address**” means a unique address that identifies a device on the internet or a local network;
- 1.4 “**Personal Information**” shall have the meaning as defined in the POPI Act;
- 1.5 “**POPI Act**” means the Protection of Personal Information Act, 4 of 2013;
- 1.6 “**Process**” shall have the meaning ascribed to in POPI Act and “**Processing**” shall have a corresponding meaning;
- 1.7 “**RTMC**” means Road Traffic Management Corporation Act, 1999; and
- 1.8 “**Web browser**” means an application used to access and view this website and include without limitation Internet Explorer, Google, and Safari.

## 2. **PERSONAL INFORMATION**

- 2.1 The RTMC does not collect Personal Information on this site unless you provide the RTMC with your Personal Information. If you provide Personal Information through this site, it will be held by the RTMC.
- 2.2 There are places on the site where you can provide Personal Information such as:
  - 2.2.1 email enquiry to the RTMC's Information Officer;
  - 2.2.2 making a submission to the RTMC's Information Officer on purpose code of practice, or any other public consultation.
- 2.3 If you make a comment or give feedback through the website RTMC will process your email address and other details, if provided.

The RTMC collects Personal information primarily for the following purposes:

## 3. **THE COLLECTION OF PERSONAL INFORMATION**

### 3.1.1 **Employee**

- 3.1.1.1 to remunerate the person to;
- 3.1.1.2 to comply with laws authorising or requiring such processing, including (but not limited to) the Basic Conditions of Employment Act 75 of 1997; the Labour Relations Act 66 of 1995; the Employment Equity Act 55 of 1998; the Occupational Health and Safety Act 85 of 1993, the Income Tax Act 58 of 1962 and the VAT Act 89 of 1991;
- 3.1.1.3 to admit the person to the Pension Fund and/or Medical Aid providers, if applicable;
- 3.1.1.4 to conduct criminal, credit, employment reference and other related reference checks;
- 3.1.1.5 to provide value added services such as human resource administration, training, performance reviews, talent management and other reasons related to the management of employees and/or Service Providers or customers.

### 3.2 **Third Party Contractor/Service Provider Information**

- 3.2.1 To secure the services of the service provider or contractor as part of the RTMC's service offering;
- 3.2.2 To manage the RTMC supply chain and relationship with the service provider and/or contractor for any purposes required by law by virtue of the relationship between the service provider and the RTMC;
- 3.2.3 To provide the service provider or contractor with information which the RTMC believes may be of interest, such as information relating to public awareness campaigns and matters of general public interest in which the RTMC is involved or has decided to lend its support to.
- 3.2.4 To render service provider and/or contractors related services and administration of service provider accounts;

- 3.2.5 To conduct criminal, credit, reference and other related reference checks
- 3.2.6 To authenticate the Service Provider and/or contractors;

#### **4. SOURCES OF PERSONAL INFORMATION**

- 4.1 Personal information may be collected from the following sources:
  - 4.1.1 directly from the person when he/she applies for any RTMC related employment, provide services to the RTMC, submit forms requests or transactions, use our websites or make use of any of the RTMC services;
  - 4.1.2 from public registers, credit bureaus and law enforcement agencies and any other organisation from which the RTMC may acquire your information;
  - 4.1.3 from people and entities employed by the RTMC to provide services to the RTMC which may be legally entitled to provide the RTMC with Personal Information.

#### **5. STORAGE OF PERSONAL INFORMATION**

- 5.1 All personal information collected by the RTMC will be stored as follows:
  - 5.1.1 in a secure and safe manner according to strict information security principles with safeguards to ensure its privacy and confidentiality;
  - 5.1.2 for no longer than is necessary to achieve the purpose for which it was collected unless further retention is:
    - 5.1.2.1 required by law or contractual obligation;
    - 5.1.2.2 otherwise reasonably required by the RTMC for lawful purposes related to its functions and activities;
    - 5.1.2.3 retained further with the person's consent;  
after which the information will be de-identified and disposed of as per the RTMC's relevant Policies.

#### **6. SHARING OF PERSONAL INFORMATION**

- 6.1 The RTMC will only use Personal Information that you provided through this website for the purposes for which you provided it.
- 6.2 You agree that that the RTMC may use your Personal Information for the purposes of administering and improving the website improving our services or communication to you. The Personal Information you provide to us may be shared with operators to the extend necessary for them to administer and improve the website on our behalf.
- 6.3 Any information supplied to the RTMC will be treated as confidential and the RTMC will not disclose information unless legally permitted thereto. No information will be transferred to a Third Party without the explicit consent of the Data Subject unless legally obliged thereto. By providing the

personal information, the data subject agrees that the RTMC may transfer the information to the following people and organisations in pursuit of the data processing purposes:

- 6.3.1 the divisions and units in the RTMC, including directors, Employees, contractors, agents, auditors, legal and other professional advisors who are authorised to process this information;
- 6.3.2 financial and government organisations who may request information from the RTMC, in which case the Data Subject will be notified in advance; the provision of such information, including banks, governmental, judicial, regulatory and law enforcement bodies including the South African Revenue services and the National Credit Regulator;
- 6.3.3 persons employed by the RTMC to provide services on our behalf and that adhere to principles similar to the RTMC regarding the treatment of Personal Information;
- 6.3.4 To any person to whom the RTMC cede, delegate, transfer or assign any of the RTMC's rights or obligations pertaining to products and/or services provided to the person or contracts concluded with the person;
- 6.3.5 To any person who acts as legal guardian, executor of an estate, curator or in a similar capacity;
- 6.3.6 To third parties in limited circumstances where authorised by POPI Act (for instance to enable the South Africa Police Service to investigate a criminal offence).
- 6.3.7 To any person or persons who may be permitted by applicable law or that you may consent to, including persons or entities who may request such information to evaluate the credit worthiness of the person.

## **7. WEBSITE ANALYTICS**

- 7.1 You may visit the Website without providing any Personal Information. The Website servers will in such instances collect the IP address used by the Data Subject to access the Website, but not the e-mail address or any other personal identifiable information. The information on IP addresses is aggregated to measure the number of visits, the average time spent at the Website, pages viewed , etc.
- 7.2 The RTMC may collect, hold and use statistical information about Website visits to help us to improve the Website. Such information includes:
  - 7.2.1 your IP address;
  - 7.2.2 the search terms you used;
  - 7.2.3 the pages accessed on the RTMC's Website and the links visitors clicked on;
  - 7.2.4 the date and time you visited the Website;
  - 7.2.5 the referring Website (if any) through which you clicked through the RTMC's Website; and
  - 7.2.6 the type of web browser you used (eg. Internet Explorer, Mozilla or Firefox).

7.3 The Data is aggregated and is not personally identifiable. Our Website analysis will also respect any “do not track” setting you might have set on your web browser.

## 8. **LINKS TO SOCIAL NETWORKING SERVICES**

8.1 The RTMC does not use social networking services such as Facebook and Twitter and network services such as ShareThis to communicate with the public about its work. When you communicate with the RTMC through these services, that social network service may collect your Personal Information for its own purpose.

8.2 These services may track your use of the RTMC’s Website on those pages where their links are displayed. If you are logged into those services (including any Google service) while using the RTMC’s Website, their tracking will be associated with your profile with those service providers.

8.3 These services have their own privacy policies which are independent of the privacy policy and practices of the RTMC.

## 9. **YOUR RIGHTS REGARDING YOUR PERSONAL INFORMATION**

9.1 A Data Subject (employee, contractor, supplier and/or customer) has the following rights to his/her Personal Information collected, processed and stored by the RTMC the right to:

9.1.1 access to any Personal Information that the RTMC holds about you;

9.1.2 the right to rectify or update your Personal Information collected;

9.1.3 object at any time to the processing of the Personal Information in which event the consequences of the objection will be explained to the Data Subject;

9.1.4 request the RTMC to no longer process the Personal Information of the Data Subject should the information not be required for further processing or by law;

9.1.5 request the RTMC to remove from any of the RTMC’s subscription lists at any time.

## 10. **GENERAL CONDITIONS PERTAINING TO PERSONAL INFORMATION**

10.1 The RTMC accepts no liability whatsoever for any loss, damage (whether direct, indirect, special or consequential) and/or expenses of any nature whatsoever which may arise as a result of, or which may be attributable directly or indirectly from information made available on these pages or links, or actions or transaction resulting there from.

10.2 The Laws of the **Republic of South Africa** will govern all terms and conditions of any products and services contained in these pages. Should you request products or services through the RTMC Website you hereby consent and submit to the jurisdiction of the South African courts in regard to all proceedings, actions, applications or the like instituted by each party against the other, and in any way arising from any stated terms and conditions.