

THE MARKETING ASSOCIATION OF SOUTH AFRICA NPC

PRIVACY POLICY

1. DEFINITIONS

- 1.1. “**ECTA**” – refers to the Electronic Communications and Transactions Act 25 of 2002
- 1.2. “**MASA**” – refers to the Marketing Association of South Africa, a non-profit organization duly registered in South Africa with registration number **2006/011537/08**.
- 1.3. “**PAIA**” refers to the Promotion of Access to Information Act no 2 of 2000.
- 1.4. “**Personal Information**” – defined in accordance with section 1 of the POPI Act.
- 1.5. “**POPI Act**” – refers to the Protection of Personal Information Act 4 of 2013 as amended
- 1.6. “**User**” – refers to the person using the website
- 1.7. “**Website**” – refers to the site www.maketingsa.co.za

2. PRIVACY POLICY

- 2.1. This Privacy Policy is aligned with the requirements set out in the POPI Act, which requires us to protect the integrity and confidentiality of the information that has come into our possession therefore we endeavor to provide technical and organizational measures to ensure this. Furthermore, MASA undertakes to comply with the provisions of PAIA (see PAIA document). While we endeavour to protect the integrity and confidentiality of the information, MASA shall not be held liable in the event that private information is stolen, hacked or otherwise obtained due to circumstances beyond the control of MASA.

3. PURPOSE OF A PRIVACY POLICY

- 3.1. The purpose of the privacy policy is to inform the user of the personal information that may be gathered, how the information may be used and the protection utilized.

4. PERSONAL INFORMATION COLLECTED

- 4.1. MASA collects general personal information that is used to carry out services, this includes the personal information of Individual and Corporate members, Designated Marketers and Non-Designated Marketers.

4.2. The user's personal information is primarily obtained through online forms available on the website, email communications, hard copy forms that are submitted to MASA and on occasion telephonically under specific circumstances with express consent from the user. In instances where Corporate clients require services, the Corporate client representative provide personnel information. It is the responsibility of the Corporate client to ensure that it has the necessary consent to share such information.

4.3. Furthermore, MASA may collect personal information using the following methods.

4.3.1. Cookies

Cookies may be saved to the user's devices. This improves the users experience of the website. (see Cookie Policy).

4.3.2. Web Traffic Statistics

This is information that is collected without notification to the user. The web traffic process individually identifies information collected. This s may include the IP and host address information of the user. The information obtained is used for general web traffic statistics and reports. The information obtained is not used to monitor, track or report on the usage of the user unless the user is suspected of illegal or unauthorized usage of any component the MASA infrastructure.

5. USE OF PERSONAL INFORMATION

5.1. The personal information shall be used only by MASA and its employees in the process of delivering its organizational purpose and services save for when the personal information is shared with a third party to fulfil a MASA obligation or service.

5.2. As part of benefits of a MASA membership, MASA may be required to provide third party service providers with member personal information such as name, membership number and contact details. The personal information that is shared with a third-party service provider will be limited to the information that is required to ensure the MASA member is able to enjoy the benefit they are entitled to or for statistical and historical purposes. Sharing information with a third-party service provider outside the scope provided is prohibited.

5.3. MASA shall not sell, rent nor provide the user's personal information to an unauthorized entity or to third parties for their independent use without the user's consent. MASA will release the user's personal information to a party if it believes that MASA is required by law or by a court or statutory body to do so. Furthermore, MASA will also disclose the user's personal information if MASA believes that it is necessary to prevent or lessen any unlawful or harmful actions and to protect and defend legitimate business interests, rights, or property of MASA.

6. PURPOSE FOR COLLECTING PERSONAL INFORMATION

6.1. MASA collects personal information for the following purposes:

6.1.1. To provide the user with the services offered and requested.

6.1.2. To understand the user's specific needs and requirements and in order to improve the MASA member benefit, service, and value offering.

- 6.1.3. To provide the user with MASA communications in relation to the services that are rendered and to keep the user informed of governance related updates.
 - 6.1.4. To provide the user with MASA related marketing material as a result of the user's interaction and use of MASA services.
 - 6.1.5. For statistical, historical and/or reporting purposes.
 - 6.1.6. To ensure payment to suppliers for services procured.
 - 6.1.7. For public health and safety purposes.
- 6.2. MASA shall ask for the user's permission in the event that the user's personal information is used for any purpose that is not mentioned above or unrelated to the operations/services of MASA and its use in the ordinary course of business.

7. CORRECTION OF PERSONAL INFORMATION

- 7.1. It is your responsibility to ensure that the personal information provided to website is true, correct, and accurate at all times. You may update and correct your personal information at any time either yourself via your online MASA profile, via email communications to MASA (for Members, kindly send an email to info@marketingsa.co.za), telephonically by calling either the membership department or applicable MASA representative in relation to the services being used or rendered to you or through completing and sending Form 2 (Annexure B) in terms of POPI Act to the Information Officer at MASA on info@marketingsa.co.za . MASA does not vet or check the information provided to it, and thus will not be held responsible for any incorrect or outdated information it may and which may be used to provide you with relevant and important communications.
- 7.2. If you would like your Personal Information to be deleted by MASA, kindly also use Form 2 (Annexure B) and send same to Information Officer at MASA on info@marketingsa.co.za . Deleting your Personal Information may impact the services being used, offered or access thereto.

8. PROTECTION OF PERSONAL INFORMATION

- 8.1. All personal information collected by MASA obtains from the user is kept secure and confidential to the best extent possible. This includes security protection of the physical devices storing the information and computer-based protection in the form of passwords, encryptions, signed certificates and other means. Access to this personal information is only by authorized personnel of MASA and technicians of its hosting provider. MASA may extend this access with due regard for the safety of and ensuring the integrity and confidentiality of the personal information.
- 8.2. MASA conducts regular security testing of its servers and ensures that its employees are trained around protection of personal information. Further, all MASA employees, contractors and outsourced IT technicians utilize a system where users are given an access number, username, password and/or personal identification number as a security measure.

- 8.3. When you use the services or facilities provided by MASA, you may be given an access number, username, password and or personal identification number (“PIN”). As a user, you must always keep this access information secret and ensure that you do not disclose it to anyone. MASA shall not be held responsible for personal information that was accessed as result of the user providing someone with their MASA profile username and password.
- 8.4. MASA will provide the user with the records of their personal information at their request. As part of a security measure, the information requested will only be sent to the user’s email on file.
- 8.5. In the event a user objects to their personal information being processed by MASA, the user is required to complete **Form 1 (Annexure A)** in terms of the POPI Act and send the completed **Form 1** to MASA’s Information Officer on info@marketingsa.co.za . Objecting to the processing of the personal information may result in services being stopped, access or implementation issues and/or other service inefficiencies and communications.
- 8.6. Personal information of the user is stored on site and in the cloud with access only granted to authorized MASA personnel. The personal information will only be retained for so long as necessary to carry out its function, services required and/or for historical and statistical use by MASA. Personal information that is no longer required for purposes of rendering services shall be destroyed and MASA undertakes to ensure that personal information shall not be stored longer than 5 (FIVE) years unless mandated by law and/or historical record purposes. Membership records, Service Agreements, training attendance records, reports or deliverables provided to Corporate clients in terms of specific scope of work and personal information related thereto shall be kept by MASA indefinitely. The purpose behind this is to ensure a continuous and accurate record of user’s membership, training history and reports/advice provided by MASA.
- 8.7. The user’s personal information may be stored on servers located outside of South Africa due to the ever-evolving structure of MASA’s information management and or IT systems. As a result, MASA undertakes to ensure that service providers used for such cloud servers and/or services are obliged to comply with the highest standards of data protection to ensure the security of your personal information.

9. LINKS ON MASA WEBSITE OR EMAIL COMMUNICATIONS

- 9.1. MASA is not responsible for the content or the privacy policies of websites of other institutions to which it may link you to – mainly for information purposes and access to documents provided by such institutions. The use of other third-party websites and content is at your sole discretion. This Policy applies solely to information collected by the MASA.
- 9.2. MASA is not responsible for any representations or information or warranties or content on any website of any third party (including websites linked to the MASA website). MASA does not exercise control over third parties' privacy policies, and you should refer to the privacy policy of any third party to see how such party protects your privacy.

10. PERSONAL INFORMATION HELD BY OR DISCLOSED BY YOU TO THIRD PARTIES

10.1 If you disclose any personal information to a third party, such as one of our business partners or anyone other than MASA, you must be aware that MASA does not regulate or control how that third party uses your personal information. You should always ensure that you read the privacy policy of any third party.

11. POLICY APPROVAL

11.1 The Board has approved this policy on 14 October 2021, and it will be reviewed periodically.

ANNEXURE A

FORM 1
OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF
THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()

Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of20.....

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Signature of data subject/designated person

ANNEXURE B

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED

REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONALINFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.
(Please provide detailed reasons for the request)

Signed at this day of20.....

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Signature of data subject/ designated person