

## Motus Processing Notice

**PROCESSING NOTICE (“Notice”) IN TERMS OF SECTION 18 OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (“POPIA”), issued by the trading divisions of Motus Group Limited (Registration number: 1983/009088/06) (hereafter referred to as “us”, “our” or “we”).**

Our registered head office is situated at **1 Van Buuren Road, Corner of Geldenhuis Road and Dort Street, Bedfordview, Gauteng, 2008**. We collect personal information to comply with our statutory obligations, to engage with you and for ancillary purposes. We respect your privacy and your personal information and for this reason, we take care to protect your personal information and to keep it confidential.

### **1. Key definitions:**

“**data subject**” means you, the person who owns and who will provide us with your personal information for processing;

“**operator**” means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party;

“**personal information**” means information relating to an identifiable, living, natural person, and an identifiable, existing juristic person, including, but not limited to—

- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- (b) information relating to the education or the medical, financial, criminal or employment history of the person;
- (c) any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;
- (d) the blood type or any other biometric information of the person;
- (e) the personal opinions, views or preferences of the person
- (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the person; and
- (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

“**processing**” means any operation or activity or any set of operations, whether or not by automatic means, concerning 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 blocking, degradation, erasure or destruction of information;

“**responsible party**” means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

## **2. Method of collection of personal information and keeping it secure:**

We collect your personal information directly from you, either directly or when you use any of our websites, contact us electronically or use any of our services or tools provided on our websites; for purposes of operating our business and conducting business with you, including the sale of vehicles and parts and servicing of vehicles.

We secure the integrity and confidentiality of personal information in our possession or under our control by taking appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information; and unlawful access to or processing of personal information.

In order to ensure such data security, we have in place policies, controls and related processes which we review and update, where necessary, on a regular basis.

## **3. Supply of personal Information to us:**

In terms of FICA and FAIS, as the case may be, it is mandatory for you to supply us with certain information, such as your “FICA KYC” details that include your Identity details and Document (or digital extract from Home Affairs), Proof of Residence/ Geographic location, proof of funds/ income data, Drivers Licence, contact details, vehicle registration number and vehicle identification number (“VIN”), (if applicable). All other information is voluntarily provided by you to enable the successful conclusion of the contract governing our relationship and the supply of products and or services requested by you.

## **4. Consequences of failure to provide information to us:**

If you do not provide us with the personal information, we may be unable to do business with you.

## **5. Lawful processing:**

We will only process your personal information to comply with legislative and contractual requirements where we are the Responsible Party and our contractual requirements where we are the Operator.

## **6. Purposes for processing data:**

Your personal information will be collected for the following purposes:

- For us to act on or respond to your instructions or requests;
- For us to operate our business effectively and to manage our relationship with you;

- Anti-money laundering compliance;
- To make certain that we have your up-to-date contact information;
- To verify the information provided by you;
- To communicate with you;
- To comply with South African law;
- To comply with demands and or requests made by Regulators, Governmental Authorities and Law Enforcement Agencies;
- For market research in connection with any of our products and or services;
- For sending you marketing and other business development related material which we believe may be of interest to you, and
- For access control.

**7. Sharing personal information:**

We may share your personal information with:

- Our suppliers, business partners and Original Equipment Manufacturers (OEMS) and their 3rd party service providers and or suppliers and or agents and or subcontractors;
- 3rd Party service providers who provide services to us;
- Professional advisors, and
- Any 3rd party if the person who has submitted the information has authorised us to do so or we are required to by law.

**8. How long do we keep your personal information:**

Your personal information is retained by us for as long as it is necessary to achieve the purpose for which it was collected or subsequently processed. It may, however, be held for longer periods where:

- It is required and or authorised by law;
- We reasonably require a record of your personal information for lawful purposes related to our functions and or business activities;
- Retention of such record is required under a contract between you and us and,
- You have consented to retention of the record.

**9. Data processing outside the Republic of South Africa:**

We may transfer certain personal information across geographical borders to:

- Service providers for the purposes set out in 7 above and,
- To the international holding companies and or subsidiaries of our business partners, OEMS and their 3rd party service providers and or suppliers and or agents and or subcontractors.

When we transfer your personal information outside of South Africa we ensure that we do so in accordance with POPIA prescript **and you consent to the transfer of your personal information outside of the Republic of South Africa across geographical borders for the purposes set out in this paragraph 9.**

***10. Rights of data subjects:***

You, inter alia, have the right to:

- Be informed whether your personal information is being processed, how it is done and for which purpose;
- To request a record of your personal information;
- To request correction of your personal information;
- To object to the processing of your personal information; To request deletion of your personal information, and
- To withdraw your consent previously given in respect of processing of your personal information. Withdrawal may limit our or a 3rd party's ability to carry out certain functions regarding our commercial relationship.

We shall notify you of any action taken by us because of your request.

To contact us for any complaint or query with regards to this Notice or your rights, please email: [pjacobs@motus.co.za](mailto:pjacobs@motus.co.za).

You may lodge a complaint in respect of this Notice or any of our personal information processing activities with the Information Regulator, whose contact details are available at <https://justice.gov.za/infoereg/>.

Last updated on 2 August 2021.