

KIA SOUTH AFRICA (PTY) LIMITED

NOTIFICATION OF HOW WE PROCESS PERSONAL INFORMATION IN TERMS OF SECTION 18 OF THE PROTECTION OF PERSONAL INFORMATION ACT, ACT 4 OF 2013

1. Introduction

- 1.1. KIA, a division of Motus Group Limited, with Registration Number: 1968/003273/07 (hereinafter referred to as "KIA") is a vehicle import, distribution and retail company and provide vehicles for sale, and aftersales services to private individuals and corporate customers. Our head office is situated at 5 Herman Street, Meadowdale, Germiston, Gauteng, 1614.
- 1.2. We collect personal information to comply with our statutory obligations and enable us to facilitate vehicle purchase / after sales service transactions with our customers and ancillary purposes.

2. Key Definitions

- 2.1. "**data subject**" means the person to whom personal information relates;
- 2.2. "**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;
- 2.3. "Motus" means Motus Holdings Limited, with Registration Number 2017/451730/06, its South African subsidiaries and their divisions;
- 2.4. "**personal information**" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:
 - (a) Information relating to the race, gender, sex, marital status, national, ethnic or social origin, age, physical or mental health, well-being, disability, language and birth of the person;
 - (b) Information relating to the education or the 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) Or any other biometric information of the person;

- (e) 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;
 - (f) 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;
- 2.5. "**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;
- 2.6. "**OEM**" means Original Equipment Manufacturer;
- 2.7. "**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.

3. Method of Collection of Personal Data

- 3.1. We collect your personal data either directly from you when visiting any one of our branches or when you make use of our Web-based OEM website, vehicle search platforms or referral partners.
- 3.2. Where you complete a "Contact me", sales agreement document, finance agreement or vehicle service request, either in person at any one of our branches or via our Web-based platforms or trusted partners, this data may be sent to any company within Motus (either through a web-link or other means not in control of or under the direction of Motus) to enable our processing of your request to provide vehicle sales and aftersales services.

4. Supply of Personal Information to Us

- 4.1. To enable us to facilitate your request to purchase a vehicle, parts or service your vehicle, it is mandatory for you to supply to us certain information, such as your personal details that includes your Identity Document and details (or digital extract from Home Affairs), Address, Drivers Licence and contact details to comply with the

provision of the Administrative Adjudication of Road Traffic Offences Act, 1998, hereinafter referred to as "Mandatory Information".

- 4.2. All other information is voluntarily provided by you to enable the conclusion of the contract governing our relationship and the supply of products or services requested by you.

5. Consequences of Failure to provide information to us

- 5.1. Mandatory Information is required in order to comply with legislative requirements and to facilitate the sales of product / aftersales service transaction and failure to do so will result in us being unable to conclude any transaction or offer services. If the requested voluntary information is not supplied, we will not be able to provide vehicle related services to you.

6. Lawful Basis for Processing

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

7. Purposes for Processing Data

- 7.1. In addition to collecting your information for the purpose of complying with legislative obligations as described above, we (including Motus) process your personal information to allow you to utilise our offered vehicle sales and after sales services. The purpose of processing your personal information will be to:
- (a) Record your details on the KIA or any Motus system to facilitate and manage the sale of a vehicles (including the validation of driver);
 - (b) Facilitate the conclusion of a purchase Agreement or services rendered with/to you;
 - (c) Facilitate invoicing to and payment by you in terms of the purchase;
 - (d) Facilitate and manage the aftersales services offered to you;
 - (e) To facilitate the invoicing of the aftersales service offered to you;
 - (f) To use in surveys to improve KIA services;
 - (g) To provide you with KIA marketing activities that comply with all South African legislation;
 - (h) To provide additional support such as "KIA customer care", to assist with any of your queries.

8. Disclosure of Personal Data to Third Parties

- 8.1. KIA may disclose or transfer your personal data to Motus, our suppliers and business partners for the purposes of providing our services, ensuring secure processing of your personal information, responding to, resolving, and contacting you with regard to your inquiries, responding to your requests for information related to our products and services, ensuring safe use of the systems and improving user and customer experience; to KIA companies / franchisees and other business partners we are affiliated with for the purposes of auditing and reporting. When disclosing your personal data, KIA meets the requirements set out in the Act and takes any technical and administrative measure to protect the security of your data.
- 8.2. We may engage external service providers as Operators that support our business operations. These service providers process data only as instructed by us, under our control and solely for the purposes mentioned in this notification. Personal information may also be disclosed to third parties during claims process and legal proceedings resulting from vehicle accident(s) you may have been involved in whilst making use of one of our vehicles either as a loan vehicle or for the purpose performing a test-drive.

9. Retention of your personal data

- 9.1. Your personal information is retained by us as long as you remain a customer to KIA or for such periods where the law requires us to retain your information for a specific period.

10. Data processing outside the Republic of South Africa

- 10.1. We apply generally accepted information security practices to protect your personal information. Where we share your personal information with a third party, we conclude written contracts with the third party requiring them to implement and maintain the security measures necessary to protect the information.
- 10.2. Although KIA is located in South Africa, your personal data may be processed in South Africa and also outside of South Africa (example, where KIA systems are hosted outside of South Africa or where we are required to share your personal information with the manufacturer of KIA vehicles for the purpose of processing warranty claims).
- 10.3. We apply generally accepted information security practices to protect your personal information.

10.4. Where we share your personal information with a third party (inside or outside South Africa), we conclude written contracts with the third party requiring them to implement and maintain the security measures necessary to protect the information as required by the Act.

11. Your Rights

11.1. Subject to applicable laws and regulations, you own your personal information. You may exercise a number of rights, including the right;

- (a) To be informed whether your personal information is being processed;
- (b) To request details of how we process your personal information;
- (c) To request access to copies of your personal information retained by us;
- (d) To be informed of about the purpose of processing of your personal information;
- (e) To be informed of the justification that is relied on by us to process your personal information;
- (f) To be informed about any third parties your personal data was disclosed to (locally or internationally);
- (g) To request the correction of inaccuracies in the records containing your personal information and, if applicable, completion of your data;
- (h) To object to the processing of your personal information;
- (i) To request the destruction or deletion of your personal information;
- (j) To request that any third parties that have records containing your personal information provided by us to them are notified and required to correct, complete, destroy or delete your personal information;
- (k) To lodge complaints regarding any adverse outcomes that may result from the analysis of your personal information by automated systems;
- (l) To seek damages should you sustain any harm as a result of the unlawful processing of your personal information;
- (m) To withdraw your consent to the processing of your personal information after the date of withdrawal (any processing up to that date will remain lawful);
- (n) To request a restriction of the processing of your personal information if you dispute the correctness of your personal information, or if the processing is unlawful, but you do not wish to have your personal information deleted;
- (o) To receive the personal information in our possession in a structured, standardized machine-readable format and to have this information provided to third parties;

(p) To raise a complaint to the Information Regulator (complaints.IR@justice.gov.za) or any other approved competent authority if you are of the opinion that the processing of your personal information by us is unlawful.

To contact KIA for any complaint or query with regards to this notice or your rights, please contact us at customercare@kia.co.za or motuslegal@motuscorp.co.za