	S18 NOTICE – HOW WE PROCESS YOUR PERSONAL INFORMATION	
	KIA SOUTH AFRICA (PTY) LIMITED (“KIA”)	
	VERSION: DRAFT 3	EFFECTIVE DATE: 15 JUNE 2023

Sensitivity - Operational

01 INTRODUCTION




- ▶ KIA is an Importer, Distributor and Dealer in passenger and light commercial vehicles and parts in South Africa.
- ▶ KIA is based in Edenvale, South Africa.

02 KEY DEFINITIONS



- ▶ “The Act” means the Protection of Personal Information Act;
- ▶ “data subject” means the person to whom personal information relates;
- ▶ “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 where it is applicable, an identifiable, existing juristic person, including, but not limited to—
 - 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;
 - information relating to the education or the medical, financial, criminal or employment history of the person;
 - any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;
 - the blood type or any other biometric information of the person;
 - the personal opinions, views, or preferences of the person 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;
 - the views or opinions of another individual about the person; and 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.

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- ▶ “processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

 - the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, or use;
 - dissemination by means of transmission, distribution or making available in any other form; or
 - 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.

03 METHOD OF COLLECTING PERSONAL INFORMATION




- ▶ We collect your personal data directly from you either directly from you when visiting any one of our owned or franchised dealers or when you make use of our Web-based functions or referral partners.

04 SUPPLY OF PERSONAL INFORMATION TO US



- ▶ To enable us to perform services across our businesses (from purchasing goods to services), it may be mandatory for you to supply to us certain information, such as your “Know Your Client (KYC)” details in terms of the Financial Intelligence Centre Act, 2001, that includes your Identity details and Document (or digital extract from Home Affairs), Address, Drivers Licence and contact details to comply with overriding legislation as amended. 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. You will be informed of the nature of the information when you make use of a specific service or offering.

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05 CONSEQUENCES OF FAILURE TO PROVIDE INFORMATION TO US


- ▶ Mandatory Information as set out above is required in order to comply with legislative requirements and failure to do so will result in us being unable to conclude any transaction or offer services. If requested voluntary information is not supplied, we will not be able to provide vehicle rental services to you.

06 LAWFUL BASIS OF PROCESSING

- ▶ 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.

07 PURPOSES FOR PROCESSING PERSONAL INFORMATION

- ▶ In addition to collecting your information for the purpose of complying with legislative obligations as described above, we process your personal information to allow you to utilise our offered vehicle sales and aftersales services. The purpose of processing your personal information will be to:
 - record your details on one of our dedicated systems to facilitate and manage the sale of a vehicle (including the validation of driver license and driver status with relevant authorities) or transactions for goods or services;
 - record any demerit points, licence suspensions or withdrawals, traffic infringements and offences in terms of the Administrative Adjudication of Road Traffic Offences Act as this may affect our ability to offer products and services to you;
 - contact you and provide you with information regarding any recall or service campaigns;
 - facilitate the conclusion of any Purchase Agreement or services rendered with/to you;

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- facilitate invoicing to and payment by you in terms of any Agreement;
- use in surveys to improve our services;
- provide online assistance where required;
- provide you with KIA marketing activities where you have consented to such or where it is reasonably justified or permitted in terms of prevailing legislation; and
- institute legal proceedings against you and / or administer, negotiate, and settle Third Party claims; and to comply with other legal requirements.

08 DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES



- ▶ KIA may disclose or transfer your personal data to 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 experience; to 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. 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.

09 RETENTION OF YOUR PERSONAL INFORMATION



- ▶ Your personal information is retained by us for such periods where the law requires us to retain your information for a specific period or for the duration of your dealings with us or use of our products or services.

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10 DATA PROCESSING OUTSIDE THE REPUBLIC OF SOUTH AFRICA

- ▶ Your personal information may be processed in South Africa and also outside of South Africa. We apply generally accepted information security practices to protect your personal information. 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

- ▶ Subject to applicable laws and regulations, you own your personal information. You may exercise a number of rights, including the right;
 - to be informed whether your personal information is being processed;
 - to request details of how we process your personal information;
 - to request access to copies of your personal information retained by us;
 - to be informed of about the purpose of processing of your personal information;
 - to be informed of the justification that is relied on by us to process your personal information;
 - to be informed about any third parties your personal information was disclosed to. (locally or internationally);
 - to request the correction of inaccuracies in the records containing your personal information and, if applicable, completion of your data;
 - to object to the processing of your personal information;
 - to request the destruction or deletion of your personal information;
 - 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.
 - to lodge complaints regarding any adverse outcomes that may result from the analysis of your personal information by automated systems;
 - to seek damages should you sustain any harm as a result of the unlawful processing of your personal information;
 - 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);

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- 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;
- to receive the personal information in our possession in a structured, standardized machine-readable format and to have this information provided to third parties;
- 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.