



## PRIVACY POLICY

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## 1. PURPOSE OF THE POLICY

- 1.1. We are sensitive and are committed to the personal nature of the information you provide to us.
- 1.2. The purpose of this privacy policy (**Policy**) is to explain –
  - 1.2.1. how Cell C collects, protects, shares, uses and otherwise handles your Personal Information collected by us from you directly, through the use of our Online Services, the use of our products and services and/or your electronic communication with us;
  - 1.2.2. the rights you have in relation to your Personal Information. In this regard, we will, to the extent possible, inform you what information is voluntary or mandatory for you to provide and the consequences for failing to provide the requested information. Please note however that, where the provision of the Personal Information is voluntary and if you elect not to provide us with same, we may not be able to provide you with the information, products and/or services you have requested or otherwise fulfil the purpose(s) for which we have asked for the Personal Information. Aside from this, your visit to, access and/or use of our Online Services will remain unaffected.
- 1.3. By providing us with your Personal Information, either directly, using our Online Services, our products and services and/or communicating electronically and/or using non-electronic means of communication with us, you –
  - 1.3.1. agree to this Policy and consent to the processing and transfer of your Personal Information as set out in this Policy; and
  - 1.3.2. authorise us, Cell C Stakeholders and other third parties to process your Personal Information for the purposes stated in this Policy.
- 1.4. We will not use your Personal Information for any other purpose than that set out in this Policy and will endeavour to protect your Personal Information that is in our possession from unauthorised alteration, loss, disclosure or access.
- 1.5. This Policy must be read together with any other legal notices or terms and conditions provided or made available to you on other pages of our Online Services, when you

download any one of our apps and/or when you complete and/or use any documents provided by us to you in respect of any of our products and/or services.

- 1.6. Please note that we may review and update this Policy from time to time. When we make these changes we will publish the updated Policy on our Online Services. If we make any significant changes, we will take additional steps to inform you of these.

## 2. **PERSONAL INFORMATION WE COLLECT**

- 2.1. The categories of Personal Information we collect may include the following:

2.1.1. personal details: your name; date of birth; home language; nationality; title; gender; photograph.

2.1.2. identifier information: passport or national identity number; utility provider details; bank statements; tenancy agreements; social media profile information; account information (including phone number, handset type, handset model, whether you are a prepaid or post-paid customer, dates of payment owed and received, TopUp information, the subscription services you use or any other information related to your account).

2.1.3. information on how you use our products and services, such as:

2.1.3.1. the phone numbers that you call or send messages to (or the phone numbers that you receive calls and messages from);

2.1.3.2. the date, time and length of the calls and messages you send or receive through our network, and your approximate location at the time these communications take place;

2.1.3.3. the level of service you receive – for example, network faults and other network events which may affect our network services;

2.1.3.4. your Online Services browsing information (which includes information about the Online Services you visit), and about how you use our Online Services or other Cell C Group websites and/or online services on your mobile devices or a PC; and

- 2.1.3.5. Internet browsing history (which includes the date, time and length of your internet browsing, and your approximate location at the time of browsing;
- 2.1.4. contact details: address; telephone number; email address; and details of your public social media profile(s) address;
- 2.1.5. consent records: records of any consents you may have given, together with the date and time, means of consent and any related information;
- 2.1.6. payment details: billing address; payment method; bank account number or credit card number; invoice records; payment records; SWIFT details; IBAN details; payment amount; payment date; and records of cheques;
- 2.1.7. data relating to your visits to our Online Services: your device type; operating system; browser type; browser settings; IP address; login details; language settings; dates and times of connecting to the Online Services; and other technical communications information;
- 2.1.8. job and employer details: your job title, role and the name of your employer; where you interact with us in your capacity as an employee of an organisation, the name, address, telephone number and email address of your employer, to the extent relevant;
- 2.1.9. subscriber details: any information that you may provide to us when filling out our subscriber agreements, credit verification documents, and/or any other consent forms at our offices and/or on our Online Services;
- 2.1.10. opinion: your opinions, when you choose to complete one of our surveys;
- 2.1.11. content and advertising data: records of your interactions with our online advertising and content, records of advertising and content displayed on pages displayed to you, and any interaction you may have had with such content or advertising (including, but not limited to, mouse hover, mouse clicks and any forms you complete);
- 2.1.12. your contact with us including notes or recordings of a call you make to one of our contact centres, an email or letter you send to us or other records of any contact you have with us; and

- 2.1.13. your preferences for particular products, services or lifestyle activities based on the information provided by you to us or when we assume what they are based on your usage of our products and/or services.

### 3. **HOW WE COLLECT PERSONAL INFORMATION**

- 3.1. We collect your Personal Information mainly to provide services and products to you and to help improve our service and product offerings to you.
- 3.2. The Personal Information we collect about you can vary depending on the following:
  - 3.2.1. the products and services that you use and subscribe to;
  - 3.2.2. how you have used the products and services including when you visit any of our offices and stores;
  - 3.2.3. how you have interacted with us even if you are not a customer (including through accessing, visiting and/or using our Online Services and electronically communicating with us);
  - 3.2.4. what we have obtained from a third party with permission to share your Personal Information with us (including law enforcement agencies and credit bureaus);
  - 3.2.5. when a competent person has given the requisite consent to Cell C and Cell C stakeholders to process the Personal Information of a child;
  - 3.2.6. when you make your information public; and
  - 3.2.7. when we create Personal Information about you such as records of your communications and interactions with us, including, but not limited to, your attendance at events or at interviews in the course of applying for a job with us, subscription to our newsletters and other mailings and interactions with you during the course of our digital marketing campaigns.

### 4. **WHY WE PROCESS YOUR PERSONAL INFORMATION**

- 4.1. We will use, analyse and process your Personal Information, which may include Special Personal Information, in the ordinary course of the business of providing products and services. We will primarily use your Personal Information only for the

purpose for which it was originally or primarily collected. We will use your Personal Information for a secondary purpose only if such purpose constitutes a legitimate interest and is closely related to the original or primary purpose for which the Personal Information was collected or you have provided us with consent.

4.2. We may subject your Personal Information to processing during the course of various activities, including, without limitation, the following:

- 4.2.1. credit vetting, verifications and assessments including, but not limited to, obtaining your credit information and records;
- 4.2.2. to process the goods and services you've bought from us, and keep you updated with your order progress;
- 4.2.3. to provide the relevant service or product to you. This includes services that use information about where you are when using your mobile equipment (location information) and to contact you with messages about changes to the service or product;
- 4.2.4. to bill you for using our products or services, or to take the appropriate amount of credit from you;
- 4.2.5. to administer our Online Services and help us improve our products and services;
- 4.2.6. to compile and share your information that has been collected and processed as a result of using our products and services;
- 4.2.7. to send direct marketing communications as outlined in clause 15 below;
- 4.2.8. provide aggregated reports to third parties within the ambits of the law;
- 4.2.9. compile credit and financial reports which may be shared with third parties to the extent that the law permits;
- 4.2.10. to process information you supply to us as part of providing goods and services to Cell C, including but not limited to responses to procurement bids, reference checks, and vendor on-boarding processes.

- 4.2.11. compliance with applicable law and fraud prevention, including updating customer records;
- 4.2.12. transfer of information to the Cell C Stakeholders and other third parties;
- 4.2.13. recruitment, training, research and statistical analysis with the aim of improving our products and services;
- 4.2.14. we may process your Personal Information for relationship management and marketing purposes in relation to our products and services (including, but not limited to, processing that is necessary for the development and improvement of our products and services to make them as effective as possible), for accounts management, and for marketing activities in order to establish (including keeping you informed generally about new products and services, unless you choose not to receive our marketing messages), maintain and/or improve our relationship with you and with the Cell C Stakeholders;
- 4.2.15. contact you with offers or promotions based on how you use our products and services. These include your calling and messaging activities, location information and browsing information (unless you choose not to receive these messages);
- 4.2.16. we may process your Personal Information for internal management and management reporting purposes, including but not limited to: conducting internal audits, conducting internal investigations, implementing internal business controls, providing central processing facilities, for insurance purposes and for management reporting analysis;
- 4.2.17. we may process your Personal Information for safety and security purposes, including to prevent and detect fraud or other crimes, recover debts or trace those who owe us money;
- 4.2.18. respond to any questions or concerns you may have about using our network, products or service;
- 4.2.19. we will let you know about other companies' products and services we think may interest you (including offers and discounts we've specially

negotiated for our customers) if you have opted in to receive such communications;

- 4.2.20. protect our network and manage the volume of calls, texts and other use of our network. For example, we identify peak periods of use so we can try and ensure the network can handle the volume at those times;
- 4.2.21. understand how you use our network, products and services. That way, we can develop more interesting and relevant products and services, as well as personalising the products and services we offer you;
- 4.2.22. the information we use will include your approximate location, based on the nearest mobile cell site. As a result, this will change as you move around with your mobile phone;
- 4.2.23. we make use of technologies that enable us to identify your telephone number (**MSISDN**) if you are accessing some of our Online Services. This "MSISDN Lookup" capability is only used by us and our trusted partners and is intended to make it easier for you to make use of our services;
- 4.2.24. we may ask you if you would like to provide us with feedback on our services and/or events by completing a survey. This is optional. We use feedback from surveys to evaluate our performance and to help improve our future services and/or events; and
- 4.2.25. we may use your Personal Information for further specific purposes made clear at the point of collection on particular pages of our Online Services, when you complete our subscriber agreements, consent forms, credit verification documents and/or when you download any of our Online Services.

## 5. **DISCLOSURE OF YOUR PERSONAL INFORMATION**

- 5.1. We may disclose your Personal Information to the Cell C Stakeholders, for legitimate business purposes, in accordance with applicable law.
- 5.2. In addition, we may disclose your Personal Information –
  - 5.2.1. if required by law;

- 5.2.2. to legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
  - 5.2.3. to third party operators (including, but not limited to, data processors such as providers of data hosting services and document review technology and services), located anywhere in the world, subject to 5.3;
  - 5.2.4. where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defence of legal rights;
  - 5.2.5. to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security; and
  - 5.2.6. to any relevant third party provider, where our Online Services use third party advertising, plugins or content.
- 5.3. If we engage a third party operator to process any of your Personal Information, we recognise that any operator who is in a foreign country must be subject to a law, binding corporate rules or binding agreements which provide an adequate level of protection similar to POPIA. We will review our relationships with operators we engage and, to the extent required by any applicable law, we will require such operators to be bound by contractual obligations to –
- 5.3.1. only process such Personal Information in accordance with our prior written instructions; and
  - 5.3.2. use appropriate measures to protect the confidentiality and security of such Personal Information.

## 6. **SHARING YOUR PERSONAL INFORMATION**

- 6.1. We may share your Personal Information with –
- 6.1.1. The Cell C Group.

- 6.1.2. Cell C Stakeholders involved in delivering the products and services you've ordered or used.
- 6.1.3. Cell C Stakeholders that conduct network performance and customer satisfaction surveys and any other surveys related to the products or services provided to you.
- 6.1.4. Cell C Stakeholders who are engaged to perform services for, on behalf of the Cell C Group.
- 6.1.5. Where applicable, credit reference, fraud prevention or business scoring agencies, or other credit scoring agencies including credit grantors and/or credit bureau and/or banks and/or other financial institutions in order to ascertain your information relating to creditworthiness and for fraud prevention purposes.
- 6.1.6. For the purposes of the Cell C Stakeholders informing or sending information to our customers (including potential customers) about any new services or products offered by Cell C Stakeholders.
- 6.1.7. Debt collection agencies or other debt recovery organisations.
- 6.1.8. Law enforcement agencies, regulatory organisations, courts or other public authorities if we have to, or are authorised to by law.
- 6.1.9. Emergency services (if you make an emergency call), including your approximate location.
- 6.1.10. We will release information if it's reasonable for the purpose of protecting us against fraud, defending our rights or property, or to protect the interests of our customers.
- 6.1.11. We may share, transfer or disclose the Personal Information in our databases and server logs to comply with a legal requirement, for the administration of justice, interacting with anti-fraud databases, to protect your vital interests, to protect the security or integrity of our databases or the Online Services, to take precautions against legal liability, or in the event of our flotation on a stock exchange, sale, merger, reorganisation, dissolution, disposal of all or part of our assets or similar event. We will

inform you of any such transfer or disclosure if we are required to do so by law.

6.1.12. As part of our business activities, we may sell previously used devices to third parties. Before returning a device, it is your responsibility to ensure that all Personal Information has been removed from the device. Any devices that still contain Personal Information may be sold on and the third party may be able to access such information.

6.1.13. Where appropriate, before disclosing Personal Information to a third party, we contractually require the third party to take adequate precautions to protect that data and to comply with applicable law.

## **7. INTERNATIONAL TRANSFER OF YOUR PERSONAL INFORMATION**

7.1. We may transfer your Personal Information to recipients outside of the Republic of South Africa.

7.2. Subject to 5.3, Personal Information may be transferred outside of the Republic of South Africa provided that the country to which the data is transferred has adopted a law that provides for an adequate level of protection substantially similar to POPIA, the operator/third party undertakes to protect the Personal Information in line with applicable data protection legislation and the transfer is necessary in order to provide the legal and other related services that are required by Cell C's customers.

7.3. Your use of our Online Services, followed by your submission of information to us, represents your consent to such transfer.

7.4. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy.

## **8. DATA ACCURACY**

The Personal Information provided to us should be accurate, complete and up-to-date. Should Personal Information change, the onus is on the provider of such data to notify us of the change and provide us with the accurate.

9. **DATA MINIMISATION**

We will restrict the processing of Personal Information to data which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose.

10. **DATA RETENTION**

We will only retain and store your Personal Information as long as necessary for the fulfilment of those purposes as have been identified by us, and only for the period for which the Personal Information is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

11. **YOUR LEGAL RIGHTS**

11.1. You have rights under the South African and other laws to have access to your Personal Information and to ask us to rectify, erase and restrict use of, your Personal Information.

11.2. You may at any time request:

11.2.1. confirmation that we hold your personal information;

11.2.2. access to your personal information;

11.2.3. the identities or categories of third parties to whom we have disclosed your personal information; or

11.2.4. that we correct or delete any personal information that is incomplete, misleading, inaccurate, excessive or out of date.

11.3. Requests can be made in writing to [custserv@cellc.co.za](mailto:custserv@cellc.co.za).

11.4. You also have the right to object to your Personal Information being used by Cell or Cell C Stakeholders. This includes the right to object to the transfer of Personal Information you have made available to us and to withdraw consent to the use of your Personal Information. Please be aware that, should you object to the transfer of Personal Information or withdraw your consent to the use of your Personal Information, we may no longer be able to provide you with the information, products and/or services you have requested or otherwise fulfil the purpose(s) for which we have asked for the Personal Information.

- 11.5. You can exercise this right at any time by using any of the various "opt-out" options that we will always provide to you when we communicate with you.
- 11.6. Please be advised however that your rights as set out above may in certain circumstances be limited if we have legal grounds to process your Personal Information.

## **12. COOKIES AND SIMILAR TECHNOLOGIES**

- 12.1. When you visit, access and/or use our Online Services we may store some information (commonly known as "Cookies") onto your device, or read Cookies already on your device, subject always to obtaining your consent, where required, in accordance with applicable law. We use Cookies to record information about your device, your browser and, in some cases, your preferences and browsing habits. We may Process your Personal Information through Cookies and similar technologies. You can determine any use of cookies through your browser settings, but note that turning off cookies may cause certain features of the Online Services to be unavailable to you.
- 12.2. We may Process your Personal Information by our use of Cookies and similar technologies found on our Online Services and Cell C Stakeholders' websites and platforms.

## **13. LINKS TO OTHER WEBSITES**

- 13.1. In the event that the Online Services contain hyperlinks to third party sites not controlled by Cell C ("Target Sites"), Cell C is not responsible for the content of, or the services offered by those sites. The hyperlinks are provided solely for your convenience and should not be construed as an express or implied endorsement by Cell C of the Target Sites or the products or services provided therein or any association with their operators. You access the Target Sites and use their products and services solely at your own risk and Cell C recommends that you check the policies of the Target Sites you visit (including their data or privacy practices) before using the site or providing any Personal Information about yourself and others.
- 13.2. Cell C shall not be liable, in any manner whatsoever, for any damage, loss liability, costs or expense whether direct, indirect or of a consequential nature that resulted from the use and access to Target Sites and the content on such Target Sites. In the event that you link to the content beyond the home page of the Online Services without Cell

C's prior written consent, you do so at your own risk and indemnify Cell C against any loss, liability or damage that may result from the use of content from such links.

#### 14. **SECURING YOUR PERSONAL INFORMATION**

- 14.1. We implement appropriate technical and organisational security measures to protect your Personal Information that is in our possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorized access, in accordance with applicable law. Information storage is on secure computers in a locked and certified information centre and information is encrypted wherever possible. Further, we undergo periodic reviews of our security policies and procedures to ensure that our systems are secure and protected.
- 14.2. Where there are reasonable grounds to believe that your Personal Information that is in our possession has been accessed or acquired by any unauthorised person, we will notify the relevant regulator and you, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs us that notifying you will impede a criminal investigation.
- 14.3. Because the internet is an open system, the transmission of information via the internet is not completely secure. Although we will implement all reasonable measures to protect your Personal Information that is in our possession, we cannot guarantee the security of any information transmitted using the internet and we cannot be held liable for any loss of privacy occurring during the course of such transmission.

#### 15. **DIRECT MARKETING**

- 15.1. Where applicable (including where consent is legally required), if you have given your consent to receive direct marketing communications from Cell C and Cell C Stakeholders your Personal Information will be used to send you marketing material.
- 15.2. We may process your Personal Information for the purposes of providing you with information regarding services that may be of interest to you. In this regard, –
  - 15.2.1. we may tell you about our and our Cell C Stakeholders exclusive offers, products and other information which we think you may like and may be tailored to suit your needs;

- 15.2.2. Cell C Stakeholders may also share your information with us and we may use that information to contact you about our products and services;
  - 15.2.3. we may share your information with Cell C Stakeholders so that they can contact you about our products and services;
  - 15.2.4. we may also share your information with Cell C Stakeholders we have chosen carefully, so they can contact you about their products and services; and
  - 15.2.5. we may contact you with marketing information by using your personal information or with targeted advertising delivered online through social media and platforms operated by other companies using our profiling tools or their own profiling tools, or use your personal information to tailor marketing to improve its relevance to you, unless you object.
- 15.3. You may opt out of these marketing campaigns for free at any time, you can do this either through a link you will find on the Online Services (accessible at [www.cellc.co.za](http://www.cellc.co.za)) relating to your product or service; or you may amend or remove your preferences by selecting the unsubscribe option on any mail that we send you and update your preferences.
- 15.4. You can also register on the national do not contact list here [www.dmasa.org](http://www.dmasa.org).

## 16. HOW TO CONTACT US

- 16.1. If you have any questions, concerns or complaints regarding our processing of your Personal Information in terms of this Policy, please email us at [custserv@cellc.co.za](mailto:custserv@cellc.co.za).
- 16.2. If you are not satisfied with our response to your complaint or believe our processing of your Personal Information does not comply with the POPIA, you have the right to lodge a complaint with the Information Regulator. The Information Regulator can be contacted as follows:

Email: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)  
Address: JD House  
27 Stiemens Street  
Braamfontein  
Johannesburg, 2001

## 17. **GOVERNING LAW**

- 17.1. This Policy shall be governed by and construed and interpreted in accordance with the laws of the Republic of South Africa, and you submit yourself to the jurisdiction of the courts of the Republic of South Africa.
- 17.2. The terms and conditions of this Policy are severable, in that if any provision is determined to be illegal or unenforceable by any court of competent jurisdiction, then such provision shall be deemed to have been deleted without affecting the remaining provisions of the terms and conditions.
- 17.3. Our failure to exercise any particular rights or provision of this Policy shall not constitute a waiver of such right or provision, unless acknowledged and agreed to by us in writing.

## 18. **USED TERMS**

In this Policy:

- 18.1. **"Cell C, we, us, our"** means Cell C Limited and/or Cell C Service Provider Company Proprietary Limited.
- 18.2. **"Cell C Stakeholders"** means Cell C's shareholders, Cell C's subsidiaries and directors, employees and consultants of Cell C or any of their subsidiaries, their affiliate companies, their service providers, suppliers, agents and partners; companies to whom Cell C acts as an Operator or agent for and may refer to any one of them as the context require.
- 18.3. **"Cell C Group"** means Cell C and Cell C Stakeholders.
- 18.4. **"you/your"** means any external parties with whom we interact including, but not limited to, customers (new and existing, and whether individual or corporation), representatives of customers, visitors to our offices, and any other users of our Online Services and our products and services.
- 18.5. **"Online Services"** means: (a) the Cell C website owned and operated by Cell C and located at <http://www.cellc.co.za>, including any page, part or element thereof including, without limitation, all and any information, data, documents, intellectual property, material, products (including software) or services contained in, accessed through, or downloaded or obtained from this website ; and (b) any other service offered by Cell C

through electronic means, including but not limited to electronic billing platforms, online portals, and interactive customer websites, and shall include the content and information provided or exchanged as part of such services, and a reference to “Online Service” refers to any one of them as the context may require.

- 18.6. **“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.
- 18.7. **“Personal Information”** means information relating to you and which can be used to personally identify you (including but not limited to information such as your name, email address, MSISDN number, biometric information and password, as well as any other personal data collected), either directly or indirectly and as further detailed in the POPIA.
- 18.8. **“POPIA”** means the Protection of Information Act, No 4 of 2013.
- 18.9. **“Special Personal Information”** means information concerning your religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information and criminal behaviour relating to an alleged commission of an offence or proceedings in respect of any offence allegedly committed by you, either directly or indirectly and as further detailed in the POPIA.