

## **MTN Privacy Policy and Notice**

### **1. MTN's enhancement to your privacy**

MTN Proprietary Limited, Registration Number: 1993/001411/07 ("MTN") respects the privacy of our customers' personal information which should be protected through the use and interaction with [www.mtn.co.za](http://www.mtn.co.za) and all associated websites, mobile applications, products and services.

We have prepared this MTN Customer Privacy Policy and notice ("this policy") to notify you of: the type of personal information we collect from you, our customers and/or users; how we will treat that personal information and; the circumstances under which we will share it with third parties.

### **2. Who is the Customer?**

A customer is a person (individual or organisation) who enters into a contract with MTN, or any MTN Affiliate, for the receipt of Services or Products, for its own use (as part of an integrated solution provided by MTN or any MTN Affiliate).

Customers who act of behalf of an organisation may only use the MTN websites, mobile applications, products and services with authorisation from the organisation.

Customers who are natural persons must be 18 years or older. If you are under 18 years, you may only use the MTN websites, mobile applications, products and services with the assistance of a parent or guardian who has provided consent for you.

### **3. Who is the user?**

A user is a person (individual or organisation) who uses the MTN websites, mobile applications, products and services.

### **4. Consent from you**

MTN will not collect or process customer and/or user personal information without obtaining the customer and/or user's consent. Your consent is obtained in terms of a legally binding agreement, which includes the applicable commercial terms and conditions, website, mobile applications terms and conditions and this policy (for example, MTN Subscriber Agreements, Pre-paid terms and conditions, Master Services/Reseller Agreements and Registrations or signing up of any MTN online services and products and this policy).

By accepting to the above-mentioned terms and conditions, you are accepting the terms and conditions of this Privacy Policy and provide MTN with consent for the processing of your personal information and accepting the practices described in this policy.

## 5. Who does this policy apply to?

This policy applies to:

- all customers and/or users who are natural persons; and
- all customers and/or users who are organisations.

## 6. What we collect about you?

On some websites, mobile applications, products and services which you are subscribing to and purchasing, you may be requested to provide your personal information which is relevant to the type of services and products.

In general, personal information is information which identifies you as an individual, such as: your first and last name; your ID number; your phone number; credit vetting and payment information and; your preferences. Personal information is information which identifies you as an individual, which includes -

- 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 that person.
- Information relating to the education or the medial, financial, criminal or employment history of the person.
- Any identifying number symbol such as cell phone number, account number, handset code, e-mail address, physical address, telephone number, location information, online identifier or other assignment to the person.
- The biometric information of the person.
- The personal opinions, views of 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; and the views of opinions of another individual about the person.

Whilst you are making use of any MTN websites, mobile applications, MTN automatically collects certain personal information such as: your IP address; browser type; operating system; mobile carrier; your ISP, URLs of sites from which you arrive or leave the MTN website and; mobile applications and sites that have embedded MTN platform technology. Through cookies and other technologies, we can recognise you as an existing or registered user of the MTN website and/or mobile application and are able to better service you as a result.

A cookie is generally a tiny data file that resides on your computer, mobile phone, or other device, and allows MTN to recognise you as a user when you return to the MTN online store website using the same computer and web browser.

There are different types of cookies. Here are two examples.

A "persistent" cookie - this cookie is set once you've logged on to a website. The next time you visit the website, the persistent cookie will allow the website to recognise you as an existing user or registered user, so you will not need to log in before using the services. However, if you wish to access or change any of your payment information (like a credit card number) or your registered information, you must log in securely again with your password, even if your computer contains a persistent cookie.

A "session" cookie - this cookie is used to identify a visit to a website. Session cookies expire after a short time or when you close your web browser.

You can remove or block cookies using the settings in your browser, but in some cases doing so may impact your ability to use the website.

## **7. The use of your personal information**

To provide you, our customers and/or user, with the best online services, mobile applications, products and services, MTN will use your personal information to:

- Carry out a credit check if you're applying for a contract for services and, to assess your application.
- Process the goods and services you've bought from us, and keep you updated with your order progress.
- Provide the relevant service or product to you. This includes other services not included in your agreement with us, and 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.
- Bill you for using our products or services.
- 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.
- Understand how you use our network, products and services. That way, we can develop more interesting and relevant products and services, as well as personalise the products and services we offer you.
- Carry out research and statistical analysis to monitor how customers and/or users' use our network, products and services on an anonymous or personal basis.
- Conduct market research and perform statistical analyses of our customers and/or users' behaviour. By being aware of our customer's and/or user's interest in and use of the various areas of the MTN websites, mobile applications, products and services for MTN to better serve its customers and/or users.
- Share information across MTN's different business units for processing to serve MTN's customers and/or users more efficiently such as, but not limited to, Credit Vetting Process, Direct Marketing Process and Customer Loyalty Processes.
- Share information with MTN third parties within our operations where we have an underlying contractual relationship with MTN third parties to provide the service to you;
- Prevent and detect fraud, information security and privacy incidents and other crimes, recover debts or trace those who owe us money.
- Send you promotional materials or details by SMS, e-mail, post or electronic communication provided you have given your consent for marketing from MTN.
- Let you know about other companies' products and services (including offers and discounts we've specially negotiated for our customers) that we think may interest you, if you've chosen to receive this information.
- Contact you in the event of a query and respond to any questions or concerns you may have about using our network, products or services.
- In circumstances prescribed by law.

## **8. The safeguards for your personal information**

Maintaining the security of your personal information is important to MTN. Reasonable security safeguards have been implemented to protect your personal information. MTN uses various methods to protect your information such as:

- Encryption methods when transmitting payment information, such as your credit card information. An icon resembling a padlock is displayed on the bottom of most Internet browser windows during encrypted transactions.
- Access to your personal information on MTN websites, mobile applications, products and services will be password-protected.
- Sensitive data (such as credit card information) is protected by SSL encryption when it is exchanged between your web browser and the MTN website and mobile applications.
- To protect any data, you store on our servers, MTN also regularly audits its systems for possible vulnerabilities and attacks.
- MTN maintains an Information Security Programme internally to ensure that your personal information is protected against unauthorised access, accidental loss or destruction.

## **9. Sharing of your personal information**

We do share your personal information to third parties where it is necessary to perform certain functions to provide our services to you. MTN will only share customer information in the instances:

- where disclosure is made with the customer and/or user's consent; and
- where MTN is obliged to disclose information as required by law, without consent.

There will be circumstances where we are obliged to disclose your information by law and are prohibited from informing you when we have received a request for your personal information in relation to any suspected or alleged criminal activity.

In addition, third parties chosen by MTN are assessed to ensure that they handle our customer and/or user information securely. Third parties are companies which MTN employs to perform functions on behalf of MTN. Some of MTN third parties perform the following functions for MTN:

- Receiving payments, fulfilling orders, delivering packages, sending postal mail and email, removing repetitive information from customer lists, analysing data, providing market assistance, providing search results and links (including paid listings and links), processing credit card payment, and providing customer service.
- By performing online service on MTN's websites, products and services.

These third parties have access to personal information needed to perform their functions, but may not use it for any other purposes that have not been clearly defined by MTN.

## **10. Your Information Choices**

### **10.1 Accessing and Changing Your Information**

You can review the personal information you provided to us and make any desired changes to the information you have provided. Please be aware that even after your request for a change is processed, MTN may, for a time, retain residual information about you in its backup and/or archival copies of its database.

You can request this information through our Promotion of Access to Information Act No 2 of 2000 ("PAIA") processes. Please visit the Privacy Centre on our website to obtain a copy of our PAIA manual and application form.

### **10.2 Direct Marketing**

You have the right to choose whether you receive marketing material or not. By accepting using our products and services, you are also agreeing to MTN sending you marketing material on related services, products and offerings provided from MTN from time to time. If you change your mind at any time, you are always able to opt out.

We do comply with the direct marketing provisions of the Consumer Protection Act No 68 of 2008 ("CPA") and the regulations.

### **10.3 Deletion or destruction of your Information**

You may request that we delete and destroy any of your personal information provided that you have finalised your relationship with MTN. MTN will however retain and use your personal information for as long as is necessary to comply with our legal and business obligations, resolve disputes and enforce this policy.

### **10.4 Your obligations**

As a customer and/or user, you have certain obligations. Some of these obligations are imposed by applicable law and regulations, and others have become commonplace for MTN:

- You must, always abide by the terms and conditions of the Privacy Policy and any agreement relating to MTN products and services that you have subscribed to. This includes respecting all intellectual property rights that may belong to third parties (such as trademarks or photographs).
- You must not download or otherwise disseminate any information that may be deemed to be injurious, violent, offensive, racist or xenophobic, discriminates against people on the basis of gender and sexual orientation, threatens the rights and safety of others, or which may otherwise violate the purpose and spirit of MTN and its community of Users on MTN websites and/or mobile applications.
- You must not provide MTN with information that you believe might be false or misleading.
- You must keep your username and password confidential and not share it with others.

## **11. Reporting incidents**

Please let us know:

- If you believe your MTN website and/or mobile application account has been compromised.
- If you have been contacted by someone via email about your MTN websites, mobile applications, products and services account asking for a password, birth date or other personal information.
- If you believe your personal information has been used for fraudulent activity;
- If you are a member of the security community and need to report a technical vulnerability.
- If you have any other enquiry relating to information privacy and security.

## **12. Right to amend this policy**

MTN may, at any time, change this policy by posting the amended policy on [www.mtn.co.za](http://www.mtn.co.za). Unless otherwise stated, the current version will apply each time you access this website.

## **13. Date of Publishing**

Last updated 01 April 2019.