



DATED: 30 June 2021

TO: ALL PARTICIPANTS IN THE MOTOR INDUSTRY

NOTICE: MIBCO's COMPLIANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT OF 2013

In terms of Gazette 43661 of 22 June 2020, the Honourable President of the Republic of South Africa proclaimed 01 July 2021 as the implementation date of the Protection of Personal Information Act, Act 4 of 2013 (POPIA).

MIBCO is committed to processing personal information in keeping with its responsibilities under the applicable data protection laws. MIBCO data collection processes, retention of information and the use thereof are done in accordance with POPIA. However, the sharing of member data subjects (employers and employees of the Motor industry, clients, stakeholders) information with MIBCO is a requirement for the Council to fulfil its obligatory duties in terms of 11(c) of POPIA and in accordance with the MIBCO Collective Agreements. Employers are therefore required to provide consent and obtain consent from employees for their information to be shared with MIBCO.

Employers of the Motor Industry are required to -

1. provide written consent through the use of **Annexure A** for MIBCO to process the employers information as prescribed in the MIBCO Collective Agreements and relevant legislation; The said annexure A will be disseminated by our Inspectorate department to enable employers to also update their information and;
2. obtain written consent from employees for MIBCO to process the employee information as prescribed in the MIBCO Collective Agreements and relevant legislation. The employees consent for their personal information to be used by MIBCO should be kept by the employer and made available to Designated Agents in terms of sub-clause 9(1) of the MIBCO Administrative Agreement.

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3. **Annexure B** is to record employee consent for MIBCO to process their information. Further communication on annexure **B** will follow where such information should be recorded.
4. MIBCO has however already collected information of employees through employers and have further collected Employers information and continuing to process such data. This communication serves as a notification that such collected information is regarded as an implied consent to use the data for the purpose supplied by our clients, employers and Employees.
5. We will continue to collect and process the following categories and types of personal information through the relevant Channels, including:
personal details (this can be your name, age, passport information, biometric information, information about your employees/employers);
contact details (this can be your mobile number and email address, alternative contact details); and
transactional details (this can be information about products, services, requests, queries or complaints).
6. We will collect personal information in the following ways:
directly from you, and
where lawful and reasonable, from third parties and public sources. This includes credit reporting and government agencies.
7. We will only share your personal information if:
the law requires it;
we have a public duty to share the personal information;
our or your legitimate interests require us to share the personal information;
it is necessary to conclude or perform due to an agreement between you and us or of any of our service providers; or
you agreed that we may share your personal information.

8. The Act empowers you to request that MIBCO, where necessary, correct or delete your personal information that is inaccurate, irrelevant, excessive, outdated, incomplete, misleading, or unlawfully obtained. It is important that we have the latest contact details on record for you.
9. You may withdraw your consent even (Implied consent) to have your personal information processed at any time, provided that the lawfulness of the processing of your personal information before withdrawal will not be affected. It is important to note that should you choose to withdraw your consent for us to process your personal information, this would limit MIBCO's ability to provide you with the service as it may be necessary. Please visit our website at www.mibco.org.za for further details on how we protect and process your data.
10. For updating your information, A copy of **Annexure A** should be sent to MIBCO Offices by email once you received the said Annexure A to complete from MIBCO's Inspectorate department. Below are the details where such information can be directed.

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| FREE STATE / N.CAPE REGION P.O.BOX 910 BLOEMFONTEIN 9300 TEL: (051) 409-4000 Enquiries: Mr L. Palmer Leslie.Palmer@mibco.org.za | HIGHVELD REGION P.O.BOX 2578 RANDBURG 2125 TEL: (011) 369-7750 Enquiries: Mr P. Masemola Paulos.Masemola@mibco.org.za |

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or go to www.mibco.org.za to obtain the updated information of MIBCO regional offices.

