



MIE PRIVACY

POLICY

Versioning

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1. Introduction

- 1.1. Data protection and privacy through lawful, legitimate, and responsible processing and use of personal data is a fundamental human right under the Constitution. This Privacy Policy outlines the core principles which MIE endeavours to pursue in relation to the processing of personal data. The principles set out in this Policy ensure that personal data is processed in line with regulatory requirements, industry-wide best practices, and our code of conduct. The Protection of Personal Information Act (POPI Act or POPIA) and the General Data Protection Regulation (GDPR) are the primary pieces of legislation that governs how MIE collects and processes personal data.

2. Scope

- 2.1. This policy applies to MIE, its affiliates and business employees (i.e., employees, directors, senior managers, executives, temporary staff members, agents, consultants, seconded, home-based, casual and agency staff, volunteers, and interns), all external parties with whom we interact, including but not limited to individual clients, representatives of client organisations, visitors to our offices, and other users of our services.
- 2.2. This policy is intended to assist the directors, officers, employees, and appointed agents in assessing the legal position applicable to a particular decision, behaviour, conduct, act or omission.

3. Privacy Commitment

- 3.1. MIE is committed to ensuring that your personal information is processed in accordance with POPIA and applicable Data Processing Legislation. MIE will take all reasonable measures, through the implementation of appropriate policies, procedures, technology, and controls to ensure that your personal information is appropriately secured and protected and processed only for lawful purposes.

4. Governance and Implementation

- 4.1. This policy must be approved by the MIE Board of Directors.
- 4.2. This policy must be reviewed every two years or when a significant event occurs, considering any changes to regulatory requirements and business operations.
- 4.3. The Executives and Management of MIE are responsible for the successful implementation of the provisions of this policy.

5. Roles and responsibilities

- 5.1. Assigning roles and responsibilities are necessary to give effect to the requirements of this policy.
 - 5.1.1. Policy Owner:

The MIE Policy Owner is ultimately accountable for ensuring that MIE and its employees comply with the requirements set out in this process.
 - 5.1.2. Policy Custodian:

The Policy Custodian is responsible for overseeing all dispensations, waivers and breaches to this process.

The Policy Custodian is responsible for facilitating the review(s) as set out in the policies or

standards.

5.1.3. Board of Directors and the Executive Committee:

MIE Board of Directors and the Executive Committee are ultimately accountable for ensuring that MIE and its employees comply with the requirements set out in this policy; and

In addition, the board must ensure that MIE complies with all applicable laws, regulations and supervisory requirements.

5.1.4. Business/Function Head:

The business or function head is responsible for the following:

- Ensuring this policy is effectively implemented within their business.
- The Business Head may delegate their responsibility (but not accountability) for the implementation of this policy to an appropriate executive within the business.

5.1.5. Employees:

All employees within MIE are responsible for complying with this policy.

6. **Policy Principles**

6.1. Processing of Data

MIE' core principles are based on the provisions of POPI and GDPR ensuring that all personal data is:

- 6.1.1 processed lawfully, fairly and in a transparent manner;
- 6.1.2 collected only for specified, clear and legitimate purposes;
- 6.1.3 adequate, relevant and limited to what is necessary in relation to the purposes for which it is to be processed;
- 6.1.4 accurate and kept up to date where applicable;
- 6.1.5 not kept in a format which allows identification of a data subject for longer than is necessary for the purposes for which the data is processed;
- 6.1.6 processed in a manner that ensures its security using appropriate technical and organisational measures to protect against unauthorised or unlawful processing and against accidental loss, destruction or damage.

Additionally, MIE must ensure that:

- 6.1.7 Personal information is not transferred to another country without appropriate safeguards being in place; and
- 6.1.8 MIE allows people to exercise their rights in relation to their personal data. MIE is responsible for and must be able to demonstrate compliance with all of the above principles.

6.2. Lawfulness, Fairness and Transparency

When collecting and processing personal information for any specific purpose, MIE must always have a lawful basis for doing so. Processing personal information is lawful when at least one of the following circumstances is present:

- 6.2.1 the data subject has given their consent for one or more specific purposes;
- 6.2.2 the processing is necessary for the performance of a contract to which the data subject is a party;
- 6.2.3 to comply with MIE legal obligations;

- 6.2.4 to protect the vital interests of the data subject or another person; or
- 6.2.5 to pursue MIE legitimate interests where those interests are not outweighed by the interests and rights of the person.
- 6.2.6 MIE must document the above lawful reasons relied upon when processing personal information for each specific purpose.

6.3. Consent as a lawful basis for processing

Consent may not always be the only basis for being able to process data. This will depend on the specified circumstance or scenario. A person's consent must be:

- 6.3.1 specific;
- 6.3.2 informed (explained in plain and accessible language);
- 6.3.3 unambiguous;
- 6.3.4 separate and unbundled from any other terms and conditions provided to the data subject;
- 6.3.5 freely and genuinely given.

6.4. Openness

- 6.3.6 A person must be able to withdraw their consent without reservation. Once consent has been given, it will need to be updated where MIE wishes to process the personal data for a new purpose that is not compatible with the original purpose for which they were collected.
- 6.3.7 Chapter 6 of POPIA and Chapter 3 Section 1 of GDPR requires MIE to ensure that any information provided by MIE to people about how their personal data will be processed is concise, easily accessible, easy to understand and written in plain language. (Privacy Notice).
- 6.3.8 MIE must demonstrate transparency by providing people with the appropriate Privacy Notices before it collects and processes their personal information and at appropriate times throughout the processing of their personal information.
- 6.3.9 Where MIE obtains any personal information about a person from a third party (for example, CVs from recruitment or background criminal checks in relation to employee on-boarding) it must check that it was collected by the third party in accordance with this policy's requirements that the sharing of such personal information with MIE was clearly explained to the person.

7. **Information Collection**

- 7.1. In some instances, when engaging directly with you, MIE acts as a Responsible Party in terms of POPIA or a Data Controller in terms of the GDPR. In all other instances MIE may be regarded as a Data Processor or Operator. MIE collects your personal information when you register with MIE for any service or product provided by MIE. This information may be updated to your personal information as held by MIE.
- 7.2. In terms of the NCA, MIE is authorised to receive, process and store consumer credit information. Personal Information includes consumer credit information.
- 7.3. The NCA also authorises a credit bureau to receive consumer credit information from the following sources:

- An organ of State, a court or judicial officer
- Any person who supplies goods, services or utilities to consumers, whether for cash or credit
- A person providing long terms and short terms insurance
- Entities involved in fraud investigation
- Educational Institutions
- Debt Collectors to whom book debt was ceded or sold by a credit provider
- Other registered credit bureau
- The NCR or any source authorised by the NCR
- A consumer for the consumer to correct or challenge information held by a credit bureau

7.4. MIE may also receive the following information about you from yourself or an entity that you may have provided consent to, or an entity that is lawfully authorised to access your information or who may lawfully share your information with MIE.

Individual

- Personal Details: Name; And Photograph;
- Identifier Information: Passport Or National Identity Number; Utility Provider Details; Bank Statements;
- Demographic Information: Gender; Date Of Birth / Age; Nationality; Salutation; Title; And Language Preferences;
- Other Lawful Information That You May Have Consented to.

Juristic

- Personal Details: Registration Number; Name Details; Contact Information; Number of Employees; and Details Of Directors;
- Financial Information
- Trade References
- Other Lawful information that the Juristic person has consented to.

7.5. MIE may make use of cookies, which may be placed on your computer when you both visit and or register on any MIE website or product site. A cookie is a small piece of information sent by a web server to a web browser, which enables the server to collect information back from the browser.

7.5.1 MIE cookies may be used for the following for the following purposes:

- To enable certain features and functions on websites, e.g. remembering user-id, selections, browsing and other service preferences;
- To build up a profile of how users experience the website;
- To improve the efficiency of MIE's website;
- To administer services to users and advertisers; and
- To establish usage statistics.

- 7.5.2 Most internet browsers provide users with the option of turning off the processing of cookies (please see the “help” section of the browser), but this may result in the loss of functionality, restrict use of the website and/or delay or affect the way in which it operates.
- 7.5.3 Advertisements on the MIE website may be provided by third party advertisers and their agencies. These may generate cookies to track how many people have seen a particular advertisement (or use the services of third parties to do this), and to track how many people have seen it more than once. MIE does not control these third parties and their cookie policies and therefore is not responsible for the Personal Information policies (including Personal Information protection and cookies), content or security of any third-party websites linked to the Website.
- 7.6. MIE may also collect information that your browser sends whenever you visit MIE websites. This information may include information such as your computer's Internet Protocol ("IP") address, browser type, browser version, and the pages of the MIE website that you visit, the time and date of your visit, the time spent on those pages and other statistics.

8. **Information Use and disclosure**

8.1. Use and Disclosure as per NCA.

The NCA provides the purposes for which MIE may release consumer credit information. In addition to the NCA, MIE will adhere to processing obligations embodied in POPIA and GDPR. In terms of the NCA, a credit bureau may release consumer credit information for the following purposes: -

- an investigation into fraud, corruption or theft, provided that the South African Police Service or any other statutory enforcement agency conducts such an investigation.
- fraud detection and fraud prevention services;
- considering a candidate for employment in a position that requires honesty in dealing with cash or finances
- an assessment of the debtor's book of a business for the purposes of (i) the sale of the business or debtors' book of that business; or (ii) any other transaction that is dependent upon determining the value of the business or debtors' book of that business;
- setting a limit of in respect of the supply of goods, services or utilities;
- assessing an application for insurance;
- verifying educational qualifications and employment;
- obtaining consumer information to distribute unclaimed funds, including pension funds and insurance claims;
- tracing a consumer by a credit provider in respect of a credit agreement entered into between the consumer and the credit provider;
- developing a credit scoring system by a credit provider or credit bureau;
- an affordability assessment in respect of a consumer, as required by Section 81 of the Act;
- a credit assessment in respect of a consumer, as required by section 81 (2) of the Act;



- investigating an application for debt review made by a consumer
- a contemplated or permitted purpose as may be envisaged by the NCA

- 8.2. MIE may share your information with authorised entities that require your information for lawful purposes with or without your consent as may be prescribed by the NCA. In addition, MIE may share your information with other credit bureaus including MIE intra company credit bureaus, XDS and Zenaptix and other third parties for the purposes of qualification verification and risk management, including credit risk scoring and fraud detection, fraud prevention and other legitimate purposes as per the NCA or other National or Provincial Legislation
- 8.3. MIE may update your MIE credit bureau records with the personal information you provide, or which is provided
- 8.4. MIE may use the information you provide to maintain contact with you in terms of
- Any queries that you may have lodged with MIE
 - Keeping you informed about new developments or any changes to the services you may have access.
- 8.5. MIE may process your information as may be allowed in terms of POPIA.
- 8.6. MIE may process your personal information for the provision of marketing services when requested to do so by third parties to whom you have provided consent to.
- 8.7. MIE may use cookies to identify you when you access a MIE website and to build up a demographic profile of its users.
- 8.8. MIE may use your Personal Information:
- 8.8.1. to contact you with newsletters, marketing or promotional materials and other information or
- 8.8.2. to conduct market research and surveys to enable MIE to understand and determine customer location, preferences, and demographics in order to develop special offers and marketing programmes, and to improve our service delivery and customer experience.
- 8.8.3. to provide additional products, services and benefits to users, which include promotions, loyalty and reward programmes from MIE;
- 8.8.4. to match Personal Information with other data collected for other purposes and from other sources (including third parties) in connection with the provision, marketing or offering of products and services;
- 8.8.5. To administer contests, competitions and marketing campaigns, and personalize user experience;
- 8.8.6. To communicate advertisements involving details of MIE's products and services, special offers and rewards, either to general customers, or to communicate advertisements which MIE has identified as being of interest to specific users (this includes but is not limited to upselling, cross selling and telemarketing).
- 8.9. In relation to particular products and services or user interactions, MIE may also specifically notify users of other purposes for which personal information is collected, used, or disclosed.

- 8.9.1. Users have a choice to withdraw consent for receiving marketing or promotional materials/communication from MIE. Users may contact MIE Information Officer: mieinformationofficer@mie.co.za to request the withdrawal
- 8.9.2. Once MIE receives confirmation that a user wishes to withdraw consent for marketing or promotional materials/communication, it may take up to 30 (thirty) working days for the withdrawal to be effected. Therefore, users may continue to receive marketing or promotional materials/communication during that period. It may be noted that even upon withdrawal of consent for the receipt of marketing or promotional materials, MIE may still contact users for other purposes in relation to the products and services accessed by users or subscriptions to MIE

9. **Cross Border transfer**

- 9.1. MIE may transfer your personal information to another country for storage and processing provided that the country has equivalent or better data protection laws in order to adequately protect your personal information in accordance with the requirements as set out in POPIA.
- 9.2. MIE shall transfer your personal information on a processing request originating from a MIE Client located outside of the Republic of South Africa, should you have consented to such processing or if such processing is in accordance with Data Processing legislation.

10. **Data Minimisation**

- 10.1. The personal information that the MIE collects, and processes must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is to be processed.
- 10.2. Personal information must only be processed when necessary for the performance of duties and tasks and not for any other purposes.
- 10.3. Accessing personal information where there is no authorisation to do so, or where there is no reason to access, may result in disciplinary action and in certain circumstances, may constitute a criminal offence.
- 10.4. When collecting personal information, as required for the performance of duties and tasks, there should not be a request that a person provide more personal information than is strictly necessary for the intended purposes.
- 10.5. Where personal information is no longer needed for the specific purposes for which it was collected, such information must be deleted, destroyed and/ or anonymised.

11. **Data Accuracy**

- 11.1. Personal information that MIE collects, and processes must be:
 - 11.1.1. accurate and, where required and kept up to date; and
 - 11.1.2. corrected and/or deleted, without delay, where an error has been discovered.
- 11.2. Where appropriate, any inaccurate or expired records should be deleted or destroyed.

12. **Storage Limitation**

- 12.1. The personal information that MIE collects, and processes must not be kept in a form that identifies a person for longer than what is necessary in relation to the purposes for which it was collected (this is subject to compliance with any legal, accounting or reporting requirements).
- 12.2. Where appropriate, reasonable steps must be taken to delete or destroy any personal data that MIE no longer requires in accordance with MIE's Record Management Policies.
- 12.3. All privacy notices and fair processing notices must inform data subjects of the period for which their personal data will be stored or how such period will be determined.

13. **Data Security of Personal Information**

- 13.1. The security of your Personal Information is important to MIE.
- 13.2. The personal information that MIE collects and processes shall be secured by appropriate technical and organizational measures against accidental loss, destruction, or damage, and against unauthorised or unlawful processing.
- 13.3. MIE shall regularly evaluate and test the effectiveness of such measures to ensure that they are adequate and effective.
- 13.4. 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 such transmission.

14. **Persons' Rights**

14.1. **Right to access your personal information:**

You may request, free of any charge, MIE to confirm if it has personal information on you.

- MIE can provide your personal information in the form of a credit report
- You can make your request by calling MIE on 0860 937 000 or emailing mieinformationofficer@mie.co.za and using the subject: Data subject access request.
- You may also request your credit report by registering on www.splendi.co.za
- You will be required to provide proof of identity as may be determined by MIE and to follow MIE procedures related to your request.
- Once you have received your personal information as above and or should you require the details of any other personal information that MIE retains, you should complete Form 1 and forward to MIE Call Centre. In accordance with POPIA Section 23 (1)(b), MIE may charge a fee for providing this information and such a request may take up to 20 business days to complete.

When MIE provides you with this report, MIE will be giving effect to your Right to data portability in terms of GDPR.

14.2. **Right to challenge and correct the accuracy of your personal information:**

- To lodge a challenge, you should complete and email Form 2 to miedispute@mie.co.za or alternatively you may call MIE on 0860 937 000 to request that a form be sent to.
- You may also lodge your dispute on www.splendi.co.za you will however be required to register on this service.
- Your rights to challenge detailed here are equivalent to your Right to rectification as per GDPR MIE will give effect to your rights under GDPR with regards to the processing of your personal information if there are no applicable exclusions in terms of GDPR.

14.3. **Right to object to processing of your personal information:**

- You may object to the processing of your personal information by not completing a consent form when requested to do, except where the lawful purpose does not require consent.
- You may also withdraw your consent at any time prior to the processing of your information by informing the company to whom you have provided the consent that you require that the company stop processing your information.
- You may object to the processing of your personal information unless the processing of your personal information is in accordance with any lawful purpose. You can make your request by emailing mieinformationofficer@mie.co.za and using the subject: Objection to Processing request.
- You will be required to provide proof of identity as may be determined by MIE and to follow MIE procedures related to your request.

15. **Data Protection**

15.1. In order to identify and minimise the data protection risks arising from the organisation's processing of personal information MIE conducts Data Protection Impact Assessment (DPIA), also known as a Privacy Impact Assessment. A DPIA must:

- 15.1.1. describe the nature, scope, context and purposes of the processing;
- 15.1.2. assess necessity, proportionality and compliance measures;
- 15.1.3. identify and assess risks to individuals; and
- 15.1.4. identify any additional measures to mitigate those risks.

16. **Record Retention**

- 16.1. MIE will retain your personal information in accordance with any retention legislation relating to such personal information.
- 16.2. Consumer Credit Information will be retained in accordance with the National Credit Act, POPIA and any other applicable legislation
- 16.3. Personal Information including but not limited to Biometric information will be retained with your consent for as long as you may require the use this information or the information is to be used for your benefit.

- 16.4. In the absence of any legislation governing a particular type of personal information, MIE shall retain such information for a period of 20 (twenty) years unless (i) you have consented to a longer retention period or (ii) you request the deletion of such personal information, provided that there is no lawful reason for which such personal information must be retained by MIE.
- 16.5. After 20 years your personal information shall be de-identified and archived for audit and investigation purposes.
- 16.6. You may request the deletion of your personal information as per (6.5) ((ii) by emailing mieinformationofficer@mie.co.za and using the subject: Request deletion.
- 16.7. You will be required to provide proof of identity as may be determined by MIE and to follow MIE procedures related to your request.

Legal Disclaimer: This Policy is not exhaustive and may be updated at the Company's discretion. Users are advised to regularly review and comply with the latest version of this Policy.