**Third Party Information Privacy Notice ("the Notice")**

## Introduction.

Supersonic FTTX (Pty) Ltd is committed to the protection of personal information, and to the collection and processing thereof in a transparent and lawful manner, in accordance with the Protection of Personal Information Act no.4 of 2013 ("PoPI Act"). The Third Party Information Privacy Notice explains how Supersonic collects, processes and uses Third Party Personal Information, why it collects the Personal Information and with whom it is shared.

## Key Definitions

The following key terms should be read in conjunction with this Notice:

| Term | Definition |
|---|---|
| Agreement | means the written contract entered between the Third Party and Supersonic following the Third Party onboarding or Supplier Procurement process. |
| Consent | means any voluntary, specific, and informed expression of will in terms of which permission is given for the processing of personal information; |
| Data Subject | means the person to whom personal information relates; |
| PAIA | The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000). |
| 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—<br>(a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or 5 mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;<br>(b) information relating to the education or the medical, financial, criminal or employment history of the person;<br>(c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other particular assignment to the person;<br>(d) the biometric information of the person;<br>(e) the personal opinions, views, or preferences of the person;<br>(f) 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;<br>(g) the views or opinions of another individual about the person; and |

| Term | Definition |
|---|---|
| | (h) 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. |
| Processing Of Personal Information | means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—<br>(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;<br>(b) dissemination by means of transmission, distribution or making available in any other form; or<br>(c) merging, linking, as well as restriction, degradation, erasure or destruction of information. |
| 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. |
| 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. |
| Security Compromise | means an unauthorised person accessing or acquiring the Personal Information of a Data Subject. |
| Special Personal Information | means the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life / orientation or biometric Personal Information of a Data Subject,<br>The criminal behaviour of a Data Subject to the extent that such information relates to:<br>▪ The alleged commission by a Data Subject of any offence; or<br>▪ Any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings. |
| Third Party | means any natural or juristic person external to Supersonic, who supplies goods and/ or services to Supersonic in terms of a written agreement. Third Parties also include suppliers, on billers, resellers, and business partners. |

**To whom does this Notice apply?**

This Notice applies to all Third Parties entering into an Agreement with Supersonic.

**Who we are ("Supersonic")**

Supersonic FTTX (Pty) Ltd, registration number 2004/010046/07, is a nationwide Internet Service Provider. We offer a range of tailor-made internet packages that suit a consumer's internet needs.

**What we do**

Supersonic offers products such as FTTH, FLTE, Airfare, 5G, and OTG Internet at an affordable price and crafted to meet every pocket.

**What Personal Information do we collect?**

Supersonic collects Personal Information about a Third Party that may be used in connection with its Third Party onboarding or Supplier Procurement process and/ or the conclusion, execution and management of the Agreement entered into with the Third Party. The Personal Information collected includes, but is not limited to, the Third Party's registered name, address, registration details as well as the names, identity numbers, addresses and other relevant details of the Third Party's directors and employees which may include financial information and banking details.

Supersonic also collects information about the Third Party's usage of its information technology and electronic equipment including, but not limited to, telephone, internet usage and emails.

To fulfil its lawful business and governance requirements as well as to give effect to the terms of its Agreement with the Third Party, Supersonic may further collect Special Personal Information about the Third Party and/ or its directors and employees. This information includes, but is not limited to:

Information relating to biometrics, race, gender, sex, nationality, ethnic or social origin, age, physical or mental health, well-being, disability, culture, employment history, language, and birth.

**Where is the Personal Information collected from?**

Supersonic collects Personal Information directly from the Third Party and/ or its authorised representatives during the onboarding process, self-registration process, and pre-qualification process, through its Third Party Questionnaire or procurement process. Where Personal Information is not collected directly from the Third Party and/ or its authorised representatives, the Third Party's consent will be obtained, and the Third Party will be advised of the source from which the Personal Information is collected.

**Why is Personal Information collected?**

Supersonic collects, processes and uses the Personal Information, including Special Personal Information of a Third Party:

- to carry out and manage its business operations and requirements;
- to fulfil its obligations in terms of the Agreement;
- for purposes of management of the Third Party's compliance, performance and productivity in terms of the Agreement;
- in order to monitor and administer occupational health and safety requirements, corporate security, organisational charts, archiving e - mails and meeting legal reporting obligations;

- for vetting and verification and in order to ensure the security of Supersonic, its Employees, equipment, facilities and premises; and
- to pursue any of its other legitimate business interests in relation to the Agreement.

Should a Third Party fail or refuse to provide the Personal Information and Special Personal Information requested by Supersonic, certain obligations in terms of the Agreement may be delayed or performance in accordance with the Agreement may become impossible.
If Supersonic intends using the Personal Information collected from a Third Party for a purpose other than which it was originally collected for, it will ask the Third Party's consent to do so.

**Retention Periods**
The Personal Information and Special Personal Information collected from a Third Party will not be kept in a form which allows identification of the Third Party or its employees for a period longer than what is necessary for achieving the purpose of the collection thereof or as authorised or required by law.

**Monitoring**
Supersonic may monitor Third Party activity and intercept Third Party communications conducted on Supersonic devices or via its telecommunication systems in the pursuit of its legitimate business interests and for purposes of managing performance and productivity in terms of the Agreement, including securing information and business assets, enforcing policies and quality control, ensuring the safety of employees, or investigating misconduct or for purposes of enforcing the terms of the Agreement. Supersonic may also engage the services of another Third Party to conduct such monitoring on its behalf.

**To whom does Supersonic disclose the Third Party's Personal Information?**
Supersonic may supply the Personal Information and Special Personal Information of the Third Party to individuals, entities, companies, or organisations when required to do so by law or for purposes of lawful processing and / or fulfilling its obligations in terms of the Agreement. These entities include, but are not limited to:

- Business units within the MTN Group and Supersonic for purposes of Internal Supersonic processing.
- Regulators or judicial commissions of enquiry, any court, administrative, arbitration or judicial forum, statutory commission, or ombudsman making a request for data or discovery in terms of the rules of relevant forum, subject to the provisions of the PoPI Act and related legislation.
- The South African Revenue Services, or any other similar Government authority that is authorised to access such information.
- Other Third parties with whom Supersonic has contractual relationships to provide services to the Third Party or to Supersonic.
- Other Third parties with whom Supersonic has contractual relationships for the retention of data and/or provision of relevant business services.
- Anyone making a successful application for access in terms of PAIA.

**How does Supersonic safeguard the Personal Information and Special Personal Information of a Third Party?**

Supersonic takes reasonably practicable security measures to ensure the confidentiality and integrity of all Personal Information (including Special Personal Information) in its possession to prevent unauthorised or unlawful processing, loss, destruction, or damage.

**Third Parties which are Operators**

If a Third Party processes Personal Information for or on behalf of Supersonic (as an Operator), Supersonic will require such a Third Party to agree to the following additional terms in writing:

1. to ensure that it establishes and maintains the security measures referred to in section 19 of the PoPI Act, including requiring that the Third Party notifies Supersonic immediately where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person;
2. to process the Personal Information only with the knowledge or authorisation of Supersonic; and
3. to treat the Personal Information as confidential, prohibiting the Third Party from disclosing it unless the Third Party is required to do so by law or in the course of the proper performance of their duties.

**Trans Border Information Flows.**

Supersonic will only transfer the Personal Information of a Third Party to other Third Parties in foreign countries if:

1. The Third Party has specifically consented thereto;
2. It is necessary for the performance of the Agreement between Supersonic and the Third Party;
3. It is necessary for the conclusion or performance of a contract between Supersonic and the foreign Third Party, in the interest of the Third Party; or
4. Supersonic has contractually obliged such foreign Third Party to agree to information privacy principles and associated policies and practices similar to those contained in the PoPI Act as far as lawful processing and further transfer of Personal Information is concerned, where the foreign Third Party is not subject to laws, binding corporate rules or agreements which offer an adequate level of protection.

**Right to Access, Correct and Delete or Destroy Personal Information.**

A Third Party has the right, subject to proof of identity, to request confirmation of which of its Personal Information Supersonic holds and to request a copy thereof for which a nominal fee may be charged.

A Third Party may also request the correction or deletion of its Personal Information held by Supersonic and which is inaccurate, excessive, irrelevant, out of date, incomplete, misleading, or obtained unlawfully and may request that Personal Information about it, which Supersonic is no longer authorised to retain, is deleted, or destroyed.

Requests for correction, destruction or deletion will only be considered if done in accordance with the relevant form available on the Supersonic website.

### Quality of Information.

Supersonic has established procedures to ensure that the Third Party's Personal Information is as accurate and complete as possible. Third Parties are encouraged to regularly check their records for accuracy and ensure any necessary amendments are made to bring records up to date. The updates may be done through the Self-Service portal. Some changes will only be made once the necessary supporting documentation has been submitted.

### Access to this Notice

The Third Party has the right to request a copy of this Notice.
Should the Third Party have any questions regarding this Information Privacy Notice or require that it is made available in another official language, assistance may be requested from the Information Privacy Office at popisupersonic@supersonic.co.za.

### In the Event of a Security Compromise

Supersonic takes reasonably practicable security measures to ensure the Third Party's privacy. In the event of an unauthorised person accessing or acquiring the Personal Information of a Third Party, a designated Supersonic official will conduct an internal investigation and, as soon as reasonably possible after the discovery thereof, notify the affected Third Party of the Security Compromise and of which protective measures to take.

### Right to Object to Processing of Personal Information

A Third Party may only object to the processing of such of its Personal Information in respect of which consent has not been given or which is not required for purposes of the conclusion or performance of its Agreement with Supersonic. Any such objection must be on reasonable grounds and must be submitted for consideration to Supersonic in accordance with the relevant form available on the Supersonic website. Successful objection to the processing of Personal Information may affect compliance with the terms of the Agreement or the execution of the terms thereof.

### Right to Complain

Third Parties have the right to lodge a complaint with the Information Regulator if Supersonic fails to lawfully process their Personal Information, fails to notify them of a security compromise affecting their Personal Information or transfers their Personal Information to Third Party in a foreign country without complying with the requirements of the PoPI Act in relation to such transfer.
For any information, queries, complaints, or objections relating to the processing of personal information, Third Parties may contact Supersonic via the Information Privacy Office (popisupersonic@supersonic.co.za) without compromising their right to lodge a complaint with the Information Regulator.

## Contact Details

| Supersonic Contact Details | Information Regulator's Contact Details |
|---|---|
| Information Privacy Officer<br>MTN Innovation Centre<br>216 14th Avenue<br>Fairlands<br>popisupersonic@supersonic.co.za | The Information Regulator (South Africa)<br>JD House<br>27 Stiemens Street<br>Braamfontein<br>Johannesburg<br>2001<br><br>Tel: 010 023 5200<br>Fax: 086 500 3351<br><br>enquiries@inforegulator.org.za |

**Changes to this Notice.**
An electronic version thereof is available on the https://supersonic.co.za/terms-and-conditions/#PrivacyPolicy portal. Supersonic reserves the right to amend the Notice at any time. The current version shall always supersede and replace all previous versions of the Notice.

**Applicable Laws.**
This Information Privacy Notice is governed by the laws of South Africa. Any disputes which may arise out of this Information Privacy Notice are subject to the jurisdiction of the South African courts.

**Date of Last Update – 3 July 2023**