

Notification of how we process personal information in terms of section 18 of the Protection of Personal Information Act, 4 of 2013

Motus Auto Auctions, a division of Motus Group Limited – Registration Number: 1983/009088/06 (“Motus Auto Auctions”) is a used vehicle business operation who purchase and / or provides used vehicles for sale to private individuals and corporate customers. Our registered head office is situated at **1 Van Buuren Road, Corner of Geldenhius Road and Dort Street, Bedfordview 2008**. We collect personal information to comply with our statutory obligations and enable us to facilitate vehicle rental transactions with our customers and ancillary purposes.

1. Key Definitions

“**data subject**” means the person to whom personal information relates;

“**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;

“**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—

- 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 the person;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;
- the blood type or any other biometric information of the person;
- the personal opinions, views or 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;
- the views or opinions of another individual about the person; and
- 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**” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

- the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- dissemination by means of transmission, distribution or making available in any other form; or
- merging, linking, as well as blocking, degradation, erasure or destruction of information;

“**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.

2. Method of Collection of Personal Data:

We collect your personal information directly from you either directly or when you make use of our Web-based client on boarding portal or duly authorised referral partners. To comply with our obligations under FICA and the Financial Advisory and Intermediary Services Act (FAIS), we may collect data to validate the information that you have provided to us, from third parties. This information is collected via a trusted partner who in-turn sources personal information from a variety of sources including but not limited to the Home Affairs National Identification System, Google Earth, the Deeds Registry, United Nations lists on wanted individuals, the South African Fraud Prevention Service, the Companies and Intellectual Property Commission and various internationally recognised sanction-screening sites.

Where you complete a vehicle offer to purchase on boarding document, application form, or contact form on any website (either through a web-link or other means not in control of or under the direction of Motus Auto Auctions) to enable our processing of your request.

3. Supply of Personal Information to Us

In terms of FICA and FAIS, it is mandatory for you to supply to us certain information, such as your “FICA KYC” details that includes your Identity details and Document (or digital extract from Home Affairs), Proof of Residence/ Geographic location, proof of funds/ income data, Drivers Licence, contact details and vehicle details (if applicable). All other information is voluntarily provided by you to enable the conclusion of the contract governing our relationship and the supply of products or services requested by you.

4. Consequences of Failure to provide information to us

Mandatory Information as set out above is required in order to comply with legislative requirements and to facilitate the vehicle acquisition transaction and failure to do so will result in us being unable to conclude any transaction or offer services. If requested voluntary information is not supplied, we will not be able to provide vehicle rental services to you.

5. Lawful Basis for Processing:

We will only process your personal information to comply with legislative and contractual requirements where we are the Responsible Party and our contractual requirements where we are the Operator.

6. Purposes for Processing Data:

Our main function and activity is to facilitate the procurement of motor vehicles by way of auction. The purpose of processing your personal information will be to:

- record the Bidder’s details on the Auction House’s system to facilitate and the Bidder’s participation in any auction;
- facilitate the conclusion of a sale in the event of a successful bid;
- facilitate invoicing and payment of the Bidder’s liability in terms of the auction;
- use in surveys to improve the Auctions House’s services; v. provide online assistance;
- Communicating with the Bidder and to provide Auctions House marketing activities (the Bidder’s specific consent will be obtained in this regards and will be provided with the option to unsubscribe in marketing communication);
- Institute legal proceedings against the Bidder to enforce the Auction House’s rights where applicable and
- Access control.

These communications assist us in continually enhancing the services that we offer to customers.

7. Disclosure of Personal Data to Third Parties:

Motus Auto Auctions may disclose or transfer your personal data to our suppliers and business partners for the purposes of providing our services, ensuring secure processing of your personal information, responding to, resolving, and contacting you with regard to your inquiries, responding to your requests for information related to our products and services, ensuring safe use of the systems and improving user experience; to Motus Group companies and other business partners we are affiliated with for the purposes of auditing and reporting. When disclosing your personal data, Motus Auto Auctions meets the requirements set out in the Act and takes any technical and administrative measure to protect the security of your data. We may engage external service providers as Operators that support our business operations. These service providers process data only as instructed by us, under our control and solely for the purposes mentioned in this notification. Personal information may also be disclosed to third parties during claims process and legal proceedings resulting from vehicle accident(s) you may have been involved in during your Rental Period.

8. Retention of your personal data:

Your personal information is retained by us as long we hold a liability towards you, or where the law requires us to retain your information.

9. Data processing outside the Republic of South Africa

Since Motus Auto Auctions is located in South Africa, your personal information will be processed in South Africa and we do not process outside of South Africa. We apply generally accepted information security practices to protect your personal information. Where we share your personal information with a third party, we conclude written contracts with the third party requiring them to implement and maintain the security measures necessary to protect the information.

10. Your Rights:

Subject to applicable laws and regulations, you own your personal information. You may exercise a number of rights, including the right;

- to be informed whether your personal information is being processed;
- to request details of how we process your personal information;
- to request access to copies of your personal information retained by us;
- to be informed of about the purpose of processing of your personal information;
- to be informed of the justification that is relied on by us to process your personal information;
- to be informed about any third parties your personal data was disclosed to (locally or internationally);
- to request the correction of inaccuracies in the records containing your personal information and, if applicable, completion of your data;
- to object to the processing of your personal information;
- to request the destruction or deletion of your personal information;
- to request that any third parties that have records containing your personal information provided by us to them are notified and required to correct, complete, destroy or delete your personal information;
- to lodge complaints regarding any adverse outcomes that may result from the analysis of your personal information by automated systems;
- to seek damages should you sustain any harm as a result of the unlawful processing of your personal information;
- to withdraw your consent to the processing of your personal information after the date of withdrawal (any processing up to that date will remain lawful);
- to request a restriction of the processing of your personal information if you dispute the correctness of your personal information, or if the processing is unlawful, but you do not wish to have your personal information deleted;
- to receive the personal information in our possession in a structured, standardized machine-readable format and to have this information provided to third parties;
- to raise a complaint to the Information Regulator or any other approved competent authority if you are of the opinion that the processing of your personal information by us is unlawful.

To contact Motus Auto Auctions for any complaint or query with regards to this notice or your rights, please contact us at danie.snyman@autopedigree.co.za