



TRACKER PRIVACY POLICY

1. Information

This Privacy Policy governs the manner in which Tracker Connect (Proprietary) Limited and its affiliates (as defined in the Companies Act and Tracker's terms and conditions of service) ("Tracker") treat your personal information collected:

- electronically;
- telephonically;
- when you make use of our website or a Tracker app;
- when you apply for and use certain services; and
- from the Tracker unit in your vehicle, if applicable.

By submitting your details and/or by using the Tracker website or app and/or services we provide and/or by allowing a Tracker unit to be installed in your vehicle, you accept the terms and conditions of this Privacy Policy and explicitly consent to the collection, use and disclosure of your Personal Information in the manner set out below. If you do not agree with the provisions of this Privacy Policy, or are concerned about any aspect relating to the protection of your Personal Information, please do not continue to use the website or app and/or allow the telematics unit to be installed in your vehicle and/or apply for or use the Tracker services.

The Privacy Policy must be read together with Tracker's terms and conditions of service and website and app terms and conditions of use. To view Tracker's terms and conditions of service or website and app terms and conditions of use, please visit www.tracker.co.za. Unless defined elsewhere, terms in this Privacy Policy shall bear the meaning ascribed to them in our terms and conditions of service and website and app terms and conditions of use.

We respect your privacy and your personal information and for this reason, we take all reasonable measures in accordance with this Privacy Policy, the Protection of Personal Information Act 4 of 2013 ("POPIA") and other relevant legislation, to protect your personal information and to keep it confidential, even when you are no longer our customer.

This Privacy Policy complies with the principles outlined in POPIA and describes how we handle Personal Information, as defined therein, that we collect from you, from your use of our services, from the telematics unit in your vehicle (if applicable), from your use of our website or app, or from third parties involved in our business dealings with you.

You agree that we may collect, collate, process and/or store your Personal Information, as defined in POPIA, ("process") for the Purpose as set out in clause 4 below.

When there are reasonable grounds to believe that your Personal Information has been accessed or acquired by an unauthorised person, we will notify you and the relevant Regulator, unless a public body responsible for detection, prevention or investigation of offences, or the relevant Regulator, informs us that notifying you will impede a criminal investigation, or if there is another legal ground not to inform you.

When we notify you that your Personal Information has been accessed or acquired by an unauthorised person, we will provide you with sufficient information to allow you to take protective measures against the potential consequences of the compromise.

2. What is Personal Information?

“Personal information” as defined in Section 1 of POPIA, means information relating to an identifiable, living, natural person and where it is applicable, an identifiable 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 a person;
- any information relating to an identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to a person;
- information relating to the education or the medical, financial, criminal or employment history of a person;
- the blood type or any other biometric information of a person;
- personal opinions, views or preferences of a person;
- the views or opinions of another individual about the person;
- the name of a 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,
- 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 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.

3. How we collect your Personal Information

Whenever you complete an application form, contact us electronically or telephonically, apply for or use the services provided by us, or use our website or app, we collect your Personal Information.

4. How we process, use and disclose your Personal Information (“Purpose”)

You agree that we may process, use or disclose the information, including the Personal Information we hold about you, in the following ways:

- to identify you;
- in order for us to process your instructions or requests;
- in order for us to ensure that we provide you with the best possible service at all times;
- to collect and analyse your personal information and combine all the information that we have about you to compile a profile of you in order for us to personalise and tailor our services to meet your specific needs;
- in aggregate form for purposes of generating statistics and developing strategic and marketing plans;
- to allow you to participate in interactive features of our services, when you choose to do so;
- to carry out any contracts that may exist between us;
- to carry out any contracts that may exist between you and a third party, with your express consent;
- to notify you about changes to our services or introduce you to new services provided by us;
- once we have collected and analysed your Personal Information, inform you thereof telephonically or send you promotional material or information which we think may be of interest to you. If any of this promotional information relates to products, promotions, news or services of a third-party business partner, and only if you indicate that you would like more information, we may inform them to contact you directly. You have the option to opt out of receiving any marketing or other material from us or a business partner at any stage; and
- to share certain of your personal information (and non-personal information such as make and model of your vehicle, frequently travelled areas, traffic information, theft and hi-jacking statistics) within Tracker, as well as with our business partners, service providers and sub-contractors for purposes of providing the services to you.

5. Disclosures of your Personal Information

We will not sell, rent or provide your Personal Information to unauthorised entities or any other third parties (other than as provided herein) for their independent use, without your consent. If at any stage, after you have given your consent, you no longer wish for us to share your Personal Information, you may withdraw your consent however, your Personal Information may also be shared under the following circumstances:

- when required by the laws of the Republic of South Africa and in the public interest. In such instances, we reserve the right to disclose your Personal Information as required in order to comply with our legal obligations or duty, including but not limited to complying with court orders, warrants, subpoenas, service of process requirements, discovery requests or lawful criminal investigations;
- under special circumstances where we have reason to believe that such disclosure is necessary to identify, contact or bring legal action against a party who may be breaching our website and app terms and conditions of use or may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other users, or anyone else that could be harmed by such activities.

6. From whom we collect Personal Information

Personal information will be collected directly from you, or our business partners, service providers or sub-contractors, except if:

- the information is contained in a public record or has deliberately been made public by you;
- you have consented to the collection of the information by us from another source or in accordance with the Tracker terms and conditions of service;
- collection of the information from another source would not prejudice a legitimate interest you may have;
- collection of the information from another source is necessary –
 - o to avoid prejudice to the maintenance of the law by any public body, including the prevention, detection, investigation, prosecution and punishment of offences;
 - o to enforce a law imposing a pecuniary penalty;
 - o to enforce legislation concerning the collection of revenue as defined in relevant local legislation;
 - o for the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated; or
 - o in the legitimate interests of national security.

7. Personal Information that we collect

Personal Information collected about you and your dependents or our employees may include:

- **General identification and contact information**
Your name, address, e-mail address, telephone number, gender, marital status, family status, date of birth, passwords and activity records (such as driving behaviour and location of your vehicle).
- **Identification numbers issued by government bodies or agencies**
Identity or passport number, VIN number and Registration number of your vehicle.
- **Financial information and account details**
Bank account number and account details, credit history, credit score and other financial information.
- **Medical condition and health status (employees only)**
Current or former physical or mental or medical condition, health status, injury or disability information, medical procedures performed, personal habits (for example, smoking or consumption of alcohol, prescription information and medical history).

- **Other sensitive information**
We may obtain information about your criminal record or civil litigation history in the process of preventing, detecting and investigating fraud or in the employment process. We may also obtain sensitive information if you voluntarily provide it to us (for example, if as an employee you express preferences regarding medical treatment based on your religious beliefs).
- **Telephone recordings**
Recordings of telephone calls to and from our representatives, affiliates and call centers.
- **Information to investigate crime, including fraud and money laundering**
We will share information with insurers who are investigating an insurance claim or with the SAPS who are investigating a criminal matter, for example.
- **Information enabling us to provide products and services**
Location and identification of your vehicle, (for example, vehicle coordinates, vehicle registration or VIN number), the behavioural information and any associated risk score which we derive using our intellectual property.

8. Protection of your Personal Information

We value the information that you choose to provide us with, and we will take reasonable steps to protect your Personal Information from loss, misuse or unauthorised alteration or access. The information we maintain concerning our customers is stored in databases that have built-in safeguards to ensure the privacy and confidentiality of that information. However, the transmission of information via the internet or electronic mail is not completely secure and we cannot guarantee the security of your information transmitted to our website, through an app or via electronic mail. Any transmission of your information to our website, through an app or via electronic mail is entirely at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

When you use the services provided by us, you may be given a username and password. You are responsible for maintaining the secrecy and confidentiality of your username and password. Please do not share your password with anyone.

9. Update of your Personal Information

It is your responsibility to ensure that we have your correct Personal Information on our system. If you ever need to update or correct any of your Personal Information held by us, you can update and correct your information yourself either by logging onto "My.Tracker" or contacting Tracker via email or telephonically or via the relevant Tracker App.

10. Consumer Protection Act 68 of 2008 ("CPA") and POPIA

We subscribe to the CPA and the principles outlined Section 11, in which you have the right to restrict unwanted marketing, including your right to refuse to accept, or require us to discontinue or to pre-emptively block communication about any marketing from us. Moreover, in terms of POPIA, you have the right to object to the processing of your Personal Information, at any time, if the processing is for purposes of direct marketing other than direct marketing by means of unsolicited electronic communications and you have not given your consent. You have the right not to have your Personal Information processed for purposes of direct marketing by means of unsolicited electronic communications from third parties unknown to you, other than Tracker's duly appointed and authorised third party business partners who may do so on Tracker's behalf, or as otherwise provided herein.

11. Changes to this Privacy Policy

We reserve the right, in our sole discretion, to amend this Privacy Policy from time to time (including without limitation by the addition of new terms and conditions). Any changes to this Privacy Policy will be drawn to your attention on our website. You agree to review the Privacy Policy whenever you visit the Tracker website for any such amendments. Save as expressly provided to the contrary in this Privacy Policy, the amended version of the Privacy Policy shall supersede and replace all previous versions thereof.

12. Your Consent

12.1. You consent that we may process and disclose your Personal Information as set out herein.

12.2. You consent that your Personal Information may be processed and disclosed under the following circumstances:

- 12.2.1. to provide you with services and to analyse data: between ourselves, our advisers, service providers and sub-contractors, third party business partners, insurance companies and credit bureaus;
- 12.2.2. to an insurer who has confirmed that you have an insurance policy or that you have requested a quote (which information may include your insurance claim information and any behavioural information and associated risk scores) or where you have provided explicit consent for us to do so;
- 12.2.3. to monitor web and app traffic: web and app servers serving the website and applications automatically collect information about pages you visit. This information is used for internal review, to tailor information to individual visitors and for traffic audits;
- 12.2.4. for statistical purposes: we may perform statistical analyses in order to measure interest in the various areas of the website or the app (for product development purposes); and
- 12.2.5. to government and law enforcement agencies, where the law requires that we disclose your Personal Information to a party, and where we have reason to believe that a disclosure of Personal Information is necessary to identify, contact or bring legal action against a party who may be in breach of the Privacy Policy or may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other users, or anyone else that could be harmed by such activities.

13. Your rights

13.1. You have the right to request that we correct, destroy or delete any of your Personal Information that we have processed in accordance with this policy. The Personal Information that you may request us to correct, destroy or delete is Personal Information that has been processed that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or that we are no longer authorised to retain.

13.2. Please note that FAIS requires us, in our capacity as a financial service provider, to store all information relating to your insurance, including the advice we have offered and the information used to generate an insurance quote, for a period of 5 years.

13.3. You have the right to withdraw your consent for us to process your Personal Information at any time. The withdrawal of your consent can only be made by you on the condition that:

- 13.3.1. the withdrawal of your consent does not affect the processing of your Personal Information before the withdrawal of your consent; or
- 13.3.2. the withdrawal of your consent does not affect the processing of your Personal Information if the processing is in compliance with an obligation imposed on us by law; or
- 13.3.3. the withdrawal of your consent does not affect the processing of your Personal Information where such processing is necessary for the proper performance of a public law duty by a public body; or

- 13.3.4. the withdrawal of your consent does not affect the processing of your Personal Information as required to finalise the performance of a contract to which you are a party; or
- 13.3.5. the withdrawal of your consent does not affect the processing of your Personal Information as required to protect your legitimate interests or our own legitimate interests or the legitimate interests of a third party to whom the information is supplied.
- 13.4. You have the right to object to the processing of your Personal Information at any time, on reasonable grounds relating to your particular situation, unless the processing is required by law.
- 13.5. You can make the objection if the processing of your Personal Information is not necessary for the proper performance of a public law duty by a public body, or if the processing of your Personal information is not necessary to pursue your legitimate interests, our legitimate interests or the legitimate interests of a third party to which the information is supplied.
- 13.6. You have the right not to be subjected to a decision which is based solely on the basis of the automated processing of your Personal Information intended to provide a profile of you.
- 13.7. You have the right to submit a complaint to the Information Regulator regarding an alleged interference with the protection of your Personal Information processed in accordance with this policy.

14. How do you contact us?

If you have questions about this Privacy Policy, or wish to amend or update any of your Personal Information you may log into My.Tracker at <https://my.tracker.co.za> or contact us at 0860 60 50 40.