

C-BRTA STAKEHOLDER AND COMMUNICATIONS PROCESSING NOTICE

ABOUT THE CROSS-BORDER ROAD TRANSPORT AGENCY (C-BRTA)

Mandate

The Cross-Border Road Transport Agency (C-BRTA) exists to improve the cross-border flow of commuters and freight operators who make use of road transport.

Its function as an interstate operations agency is to reduce mobility constraints for road transport operators, in the form of regulating market access and issuing cross-border permits, while facilitating sustainable social and economic development in the Southern African Development Community (SADC) region.

In terms of the above, the C-BRTA's legislative mandate is to:

- improve the unimpeded flow of freight and commuters across the SADC region
- introduce regulated competition in respect of cross-border passenger road transport
- reduce operational constraints for the cross-border road transport industry as a whole
- maximise business opportunities and liberalise market access in respect of cross-border road freight transport
- empower the cross-border road transport industry by improving the safety, security, reliability, quality and efficiency of services,

which are supported by its strategic objectives, which are to

- advise the Minister of Transport on any aspect related to cross-border road transport policy;
- regulate access to the market by the road transport freight and passenger industry in respect of cross-border road transport by issuing permits;
- undertake road transport law enforcement;
- facilitate the:
 - Establishment of cooperative and consultative relationships and structures between public- and private-sector institutions with an interest in cross-border road transport
 - Collection, processing and dissemination of relevant information

- Provision of training and capacity building, and the promotion of entrepreneurship – particularly in respect of small, medium and micro-enterprises with an interest in cross-border road transport
- increase participation in border operations
- develop cross-border industry partnerships
- build entrepreneurship and capacity for SMMEs in the transport sector
- roll out an Industry Partnership Development Plan
- improve client relationship management and implement a client feedback mechanism for all services
- harmonise standards and procedures
- improve operator compliance
- review the C-BRTA mandate
- advise the Minister of Transport on any aspect related to cross-border road transport policy;
- regulate access to the market by the road transport freight and passenger industry in respect of cross-border road transport by issuing permits;
- undertake road transport law enforcement;
- facilitate the:
 - establishment of cooperative and consultative relationships and structures between public- and private-sector institutions with an interest in cross-border road transport
 - collection, processing and dissemination of relevant information
 - provision of training and capacity building, and the promotion of entrepreneurship – particularly in respect of small, medium and micro-enterprises with an interest in cross-border road transport

In order to achieve the above, we as the C-BRTA need to process certain personal information detailed below.

1. PURPOSE OF THIS NOTICE AND TERMS USED

- 1.1 We, the Cross-Border Road Transport Agency (“C-BRTA”) in our capacity as a Responsible Party, in order to do perform our mandate will have to process Personal Information, and in doing so, will have to comply with a law known as the Protection of Personal Information Act, 4 of 2013 (hereinafter referred to as “POPIA”), which regulates and controls the processing of a legal entity’s and / or an individual’s Personal Information in South Africa, (hereinafter referred to as a “Data Subject”), which processing includes the collection, use, and transfer of a Data Subject’s Personal Information.
- 1.2 In terms of POPIA, where a Responsible Party processes a Data Subject’s Personal Information, such processing must be done in a lawful, legitimate and responsible manner and in accordance with the provisions, principles and conditions set out under POPIA.

- 1.2 In order to comply with POPIA, a Responsible Party processing a Data Subject's Personal Information must:
- 1.2.1 provide the Data Subject with a number of details pertaining to the processing of the Data Subject's Personal Information, before such information is processed; and
- 1.2.2 get permission or consent, explicitly or implied, from the Data Subject, to process his / her / its Personal Information, unless such processing:
- is necessary to carry out actions for the **conclusion or performance of a contract** to which the Data Subject of the Personal Information is a party;
 - is required in order to comply with an **obligation imposed by law**; or
 - is for a **legitimate purpose or is necessary to protect the legitimate interest (s) and/or for pursuing the legitimate interests** of i) the Data Subject; ii) the Responsible Party; or iii) that of a third party to whom the Personal Information is supplied; or
 - is necessary for the proper performance of a **public law duty**.
- 1.3 In accordance with the requirements of POPIA, and because your privacy and trust is important to us, we set out below how we, the C-BRTA collect, use, and share your Personal Information and the reasons why we need to use and process your Personal Information.

2. APPLICATION

- 2.1 This **Stakeholder and communications Processing Notice** applies to potential or actual C-BRTA Stakeholders and persons who C-BRTA communicates with.

3. PURPOSE FOR PROCESSING YOUR PERSONAL INFORMATION

- 3.1 Your Personal Information will be processed by us for the following purposes:

Communications- legitimate purpose: To communicate and / or to make contact with you as an C-BRTA Stakeholder, generally and / or specifically.



Lawfulness - YES

Consent required - NO

Strategic Communications - legitimate purpose: To maintain the C-BRTA brand by ensuring that the Agency communicates efficiently and effectively, with its internal and external stakeholders at all times. The C-BRTA, as a regulator of cross-border road transportation, has a wide stakeholder group and it is important for the Agency to build and sustain the relationships with the stakeholders by communicating effectively in order to stamp the C-BRTA's authority as a critical role player in building an efficient cross-border road transport industry.

Research & Development - legitimate purpose: To conduct research, prepare research reports and disseminate information to cross-border road transport role-players

Operational issues - compliance with law: To communicate, enforce and ensure you comply with policies, including in relation to claims or actions or legal requirements and conducting investigations and incident response, including reviewing your communications in these situations in accordance with relevant internal policies and applicable law.

Lawfulness - YES

Consent required - NO

4. WHAT PERSONAL INFORMATION DO WE COLLECT FROM YOU?

In order to engage and/or interact with you, for the purposes described above, we will have to process certain types of your Personal Information, as described below:

You or your employer or organization's contact information, such as name, alias, address, identity number, passport number, security number, phone number, cell phone number, vehicle make and registration number, social media user ID, email address, and similar contact data, serial numbers of equipment, details regards the possession of dangerous weapons, and other contact information including details of your employer, memberships or affiliations, such as the name of your employer or organization that you are a member of, information about your colleagues or those within your organization, your status with an organization, and similar data, which are required for various legitimate interest, contractual and/or lawful reasons.

Lawfulness - YES

Consent required - NO

Specific identifiers, which are required in order to protect legitimate interests, comply with legal obligations or public legal duties, or in order to accommodate you in our workplaces or conduct business with you, such as your race (B-BBEE related), medical history including any medical conditions (to comply with laws and related to correct and fair treatment issues), trade union matters (to comply with laws and related to correct and fair treatment issues), and financial, credit, deviant and criminal history (to protect our legitimate interests and to perform risk assessments).

Lawfulness - YES

Consent required - NO

User Content, such as content of communications, suggestions, questions, comments, feedback, and other information you send to us, that you provide to us when you contact us, or that you post on our websites, applications, mobile applications, or social media portals or platforms including information in alerts, folders, notes, and shares of content), and similar data which are required to perform contractual matters and/or in order to provide you access to services or attend to queries.

Lawfulness - YES



Consent required - NO

Device & Browser Information, such as network and connection information (including Internet Service Provider (ISP) and Internet Protocol (IP) addresses), device and browser identifiers and information (including device, application, or browser type, version, plug-in type and version, operating system, user agent, language and time zone settings, and other technical information), advertising identifiers, cookie identifiers and information, and similar data, which are required to perform contractual matters and/or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place.

Lawfulness - YES

Consent required - NO

Usage Information and Browsing History, such as usage metrics (including usage rates, occurrences of technical errors, diagnostic reports, settings preferences, backup information, API calls, and other logs), content interactions (including searches, views, downloads, prints, shares, streams, and display or playback details), and user journey history (including clickstreams and page navigation, URLs, timestamps, content viewed or searched for, page response times, page interaction information (such as scrolling, clicks, and mouse-overs), and download errors), advertising interactions (including when and how you interact with marketing and advertising materials, click rates, purchases or next steps you may make after seeing an advertisement, and marketing preferences), and similar data which are required to perform contractual matters and/or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place.

Lawfulness - YES

Consent required - NO

Location Data, such as the location of your device, your household, and similar location data, which are required to perform contractual matters and/or in order to provide you access to services or attend to queries or to ensure that security safeguards are in place.

Lawfulness - YES

Consent required - NO



Your Image, such as still pictures, video, voice, and other similar data, which are required to perform contractual matters and/or in order to provide you access to our facilities or attend to queries or to ensure that security safeguards are in place or which may be used in our C-BRTA communications , brochures and / or reports.

Lawfulness - YES

Consent required – NO

Career, Education, and Professional Experience Related Information, such as work performance and history, nationality and immigration status, demographic data, disability-related information, professional licensure information and related compliance activities, accreditations and other accolades, education history (including schools attended, academic degrees or areas of study, academic performance, and rankings), and similar data, which are required for procurement, contractual or consultancy related matters or which are required to comply with laws and public duties.

Lawfulness - YES

Consent required - NO

Social Media and Online Content, such as information placed or posted in social media and online profiles, online posts, and similar data, which are required to perform contractual matters and/or in order to provide you access to services or attend to queries.

Lawfulness - YES

Consent required – NO

5. **SOURCES OF INFORMATION - HOW AND WHERE DO WE COLLECT YOUR PERSONAL INFORMATION FROM**

- 5.1 Depending on your requirements, we will collect and obtain Personal Information about you either directly from you, from certain third parties, or from other sources which are described below:

Direct collection

You provide Personal Information to us when you:

- Use our websites, applications, mobile applications, or social media portals or platforms.
- Interact with us.
- Enquire about, or search for our , services or RFQ/T/Is.
- When you submit a quotation, proposal or offer to do business with us by way of a RFQ/T/Is or when you conclude a contract with us.
- When you express an interest in a CSI project or sponsorship.
- Create or maintain a profile or account with us.
- Conclude a contract with us.
- Provide goods and/or services to us.
- Use or access our facilities and/or information. .
- Purchase, use, or otherwise interact with content, products, or services from third-party providers who have a relationship with us.
- Create, post, or submit user content on our websites, applications, mobile applications, or social media portals or platforms.
- Register for or attend one of our events or locations.
- Request or sign up for information, including marketing material and direct marketing material.
- Communicate with us by phone, email, chat, in person, or otherwise.
- Complete a questionnaire, survey, , or other information request form.

Automatic collection:

We collect Personal Information automatically from you when you:

- Search for, visit, interact with, or use our websites, applications, mobile applications, or social media portals or platforms.
- Access our facilities or services (including through a device).
- Access, use, or download content from us.
- Open emails or click on links in emails or advertisements from us.
- Otherwise interact or communicate with us (such as when you attend one of our events or locations, when you request support or send us information, or when you mention or post to our social media accounts).

Collection from third parties:

We collect Personal Information about you from third parties, such as:

- Those who have a relationship with or that provide or publish Personal Information related to you.
- Regulators, professional or industry organizations and certification / licensure agencies that provide or publish Personal Information related to you.
- Third parties and affiliates who deal with or interact with us or you.
- Service providers and business partners who work with you and that you may utilize to deliver certain content, products, or services to us.
- Service providers who work with us and that we may utilize to receive certain content, products, or services from you. third-party service providers may collect or check information from or about you on our behalf. For example, where we use external employment agencies, vetting agencies, lawyers, accountants, consultants, professional bodies, banks and travel agencies.
- Marketing, sales generation, procurement and recruiting business partners.
- SAPS, National Treasury, Home Affairs, Credit bureaus, SARS, Banks, BBBEE verifiers and other similar agencies.
- Other government agencies, regulators and others who release or publish public records.
- Other publicly or generally available sources, such as social media sites, public and online websites, open databases, and data in the public domain.

6. HOW WE SHARE INFORMATION

We share Personal Information for the purposes set out in this Privacy Notice with the following categories of recipients:

C-BRTA employees, directors, non-executives and executives, committee members, officials and C-BRTA affiliates. We may share your Personal Information amongst our employees, directors, executives, officials, and affiliates in order to perform C-BRTA related activities as per our mandate, including governance activities, and company secretarial, legal and operational activities.

Lawfulness – YES

Consent required – NO

Stakeholders and Cross Border Governmental officials. We may share your Personal Information with a variety of stakeholders, governmental officials, ministers and cross border officials as well as with our business partners in order to perform C-BRTA related activities as per our mandate, including governance activities, and company secretarial, legal and operational activities.

Lawfulness – YES

Consent required – NO

Third Party Service Providers. We may share your Personal Information with our third-party service providers to perform tasks on our behalf and which are related to our relationship with you.

Lawfulness – YES

Consent required – NO

IT and Cyber Third-Party Service Providers. We may share your Personal Information with our cyber service providers to perform tasks on our behalf and which are related to our relationship with you.



Lawfulness – YES

Consent required – NO

PR Agencies. We may share your Personal Information with Public relations and marketing agencies that we engage for promotional and marketing activities or who we use for the printing of our reports, brochures and other communications.

Lawfulness – YES

Consent required – NO

South African Regulators and law enforcement agencies. We may disclose your Personal Information to organs of state, national and / or provincial or local government and related departments and agencies, including Ministers, and other governmental, provincial or local authority officials, officers or managers, Auditor General officials, SARS, and other Regulators, as well as other governmental bodies and agencies, and parastatals, in order to comply with any applicable law or regulation, to comply with or respond to a legal process or law enforcement or governmental request or to ensure that the C-BRTA mandate is correctly and efficiently discharged.

Lawfulness – YES

Consent required – NO

Non South African Regulators and law enforcement agencies. We may disclose your Personal Information to governmental departments and agencies, situated outside South Africa including Ministers, officials, officers or managers, regulators, and other governmental bodies and agencies, and parastatals, in order to comply with any applicable law or regulation, to comply with or respond to a legal process or law enforcement or governmental request or to ensure that the C-BRTA mandate is correctly and efficiently discharged.

Lawfulness – YES

Consent required – NO

Other Disclosures. We may disclose your Personal Information to third parties as part of our activities, or to ensure that the C-BRTA mandate is correctly and efficiently discharged,



or if we reasonably believe that disclosure of such information is necessary to enforce our terms and conditions or other rights (including investigations of potential violations of our rights), to detect, prevent, or address fraud or security issues, or to protect against harm to the rights, property, or safety of C-BRTA, our employees, our directors, committee members, executives, stakeholders, or the public.

Lawfulness – YES

Consent required – NO

7. SECURITY OF INFORMATION

- 7.1 The security of your Personal Information is important to us. Taking into account the nature, scope, context, and purposes of processing Personal Information, as well as the risks to individuals of varying likelihood and severity, we have implemented technical and organizational measures designed to protect the security of your Personal Information. In this regard we will conduct regular audits regarding the safety and the security of your Personal Information.
- 7.2 Your Personal Information will be stored electronically and in some cases in hard copy in files and records, which information, for operational reasons, will be accessible to and/or provided to persons employed or contracted by us on a need to know basis.
- 7.3 Once your Personal Information is no longer required, such Personal Information will be retained in accordance with our records retention policies and schedules, which varies depending on the type of processing, the purpose for such processing, the business function, record classes, and record types. We calculate retention periods based upon and reserve the right to retain Personal Information for the periods that the Personal Information is needed to: (a) fulfil the purposes described in this Processing Notice, (b) meet the timelines determined or recommended by regulators, law makers, professional bodies, or associations, (c) comply with applicable laws, legal holds, and other legal obligations (including contractual obligations), and (d) to comply with your requests.
- 7.4 Notwithstanding clause 7 and 8, please note that no method of transmission over the Internet or method of electronic storage is 100% secure. Therefore, while we strive to use commercially acceptable measures designed to protect your Personal Information, we cannot guarantee its absolute security.

8. ACCESS BY OTHERS AND CROSS BORDER TRANSFER

- 8.1 C-BRTA may from time to time have to disclose your Personal Information to other parties, including trading partners, agents, auditors, organs of state, regulatory bodies and/or national, provincial, or local governmental bodies and / or their officials, based in South Africa but such disclosure will always be subject to an agreement which will be concluded as between ourselves and the party to whom we are disclosing your Personal Information to, (recipient) which contractually obliges the recipient of your Personal Information to comply with strict confidentiality and data security conditions, unless such information is exchanged and/or provided to such parties in their capacity as a Responsible Party and which has been provided and disclosed to them in order to allow them discharge their own mandate or operational activities.
- 8.2 Where your Personal Information is transferred to a recipient in a country which is situated outside South Africa, your Personal Information will only be transferred to those countries which have similar data privacy laws in place or where the recipient of the Personal Information in such country concludes an agreement with us, which contractually obliges the recipient to comply with strict confidentiality and data security conditions and which conditions in particular will be to a no lesser set of standards than those imposed by POPIA.

9. YOUR RIGHTS

- 9.1 You as a Data Subject have certain rights, which are detailed below:
- **The right of access** - You may ask us (free of charge) to confirm that we hold your Personal Information, or ask us to provide you with details, (at a fee) on how we have processed your Personal Information, which request must be done by following the process set out under the C-BRTA PAIA Manual.
 - **The right to rectification** - You have the right to ask us to update or rectify any inaccurate Personal Information which we hold of yours, which can be done by accessing the update / rectification request.
 - **The right to object to and restrict further processing** - Where we do not need your consent to process your Personal Information, but you are not in agreement with such processing, you may lodge an objection to such processing by accessing the objection request.
 - **The right to withdraw consent** - Where you have provided us with consent to process your Personal Information, you have to right to subsequently withdraw your consent, which can be done by accessing the withdrawal of consent request.
- 9.2 These rights may be exercised by using the relevant forms housed on the C-BRTA website at : **www.cbrta.co.za**

10. CHANGES TO THIS PRIVACY STATEMENT

- 10.1 As C-BRTA changes over time, this Processing Notice is expected to change as well.
- 10.2 C-BRTA reserves the right to amend the Processing Notice at any time, for any reason, and without notice to you other than the posting of the updated Processing Notice on the C-BRTA Website.
- 10.3 We therefore request that you to visit our Website frequently in order to keep abreast with any changes.

11. PROCESSING OTHER PERSONS PERSONAL INFORMATION

- 11.1 If you process another's Personal Information on our behalf, or which we provide to you in order to perform your contractual or legal obligations or to protect any legitimate interest, you will
- if you are processing such Personal Information as our Operator, as defined under POPIA, process all and any such Personal Information in compliance with the obligations set out under our standard "Operator Agreement" housed on our website; or
 - where not acting as an Operator, nonetheless keep such information confidential and secure as per POPIA and you will not, unless authorized to do so, process, publish, make accessible, or use in any other way such Personal Information unless in the course and scope of your duties, and only for the purpose for which the information has been received and granted to you, and related to the duties assigned to you.

12. COMPLAINTS OR QUERIES - CONTACT US

- 12.1 Any comments, questions or suggestions about this Processing Notice or our handling of your Personal Information should be emailed to our Information or Deputy Information officers at the details housed below.

Information Officer

Name Lwayi Mboyi

Address : Eco Point Office Park;350 Witch Hazel Avenue; Eco Park; Centurion

Tel:(012)471 2000

Direct Line : (012) 471 2147

Email: CBRTAInformationOfficer@cbrta.co.za

Deputy Information Officer (s)

Name: Tintswalo Shilowa

Address: Eco Point Office Park;350 Witch Hazel Avenue; Eco Park; Centurion

Tel: (012)471 2000

Direct Line : (012) 471 2177

Email: CBRTAInformationOfficer@cbrta.co.za

Name: Alfred Nemavhidi

Address: Eco Point Office Park;350 Witch Hazel Avenue; Eco Park; Centurion

Tel:(012) 471 2000

Direct Line : (012) 471 2141

Email: CBRTAInformationOfficer@cbrta.co.za

Name: Maria Siyo

Address: Eco Point Office Park;350 Witch Hazel Avenue; Eco Park; Centurion

Tel: (012)471 2000

Direct Line : (012) 471 2018

Email: CBRTAInformationOfficer@cbrta.co.za

- 12.2 Should you wish to discuss a complaint, please feel free to contact us using the details found above. All complaints will be treated in a confidential manner.
- 12.3 Our offices are open 9:00 am – 4.00 pm GMT, Monday to Friday.
- 12.4 Should you feel unsatisfied with our handling of your Personal Information, or about any complaint that you have made to us, you are entitled to escalate your complaint to the South African, Information Regulator who can be contacted at <<https://www.justice.gov.za/inforeg/>>.

13. ACCEPTANCE AND BINDING NATURE OF THIS DOCUMENT

- 13.1 By providing us with the Personal Information which we require from you as listed under this Processing Notice:
- you acknowledge that you understand why your Personal Information needs to be processed;
 - you accept the terms which will apply to such processing, including the terms applicable to the transfer of such Personal Information cross border;
 - where consent is required for any processing as reflected in this Processing notice, you agree that we may process this particular Personal Information.
- 13.2 Where you provide us with another person's Personal Information for processing, you confirm that that you have obtained the required permission from such person(s) to provide us with their Personal Information for processing.
- 13.3 The rights and obligations of the parties under this Processing Notice will be binding on, and will be of benefit to, each of the parties' successors in title and/or assigns where applicable.

- 13.4 Should any of the Personal Information concern or pertain to a legal entity whom you represent, you confirm that you have the necessary authority to act on behalf of such legal entity and that you have the right to provide the Personal Information and/or the required permissions in respect of the processing of that Organization or entities' Personal Information.

End