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## HUMAN RESOURCES - PRIVACY NOTICE

Version	Change(s)	Author	Approver	Date
v1	Original	Jenni van der Merwe	Jenni van der Merwe	20 February 2023

DocuSigned by: 02 March 2023

### 1. DATA CONTROLLER

*Jenni van der Merwe*  
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Mezzanine Ware RF (Pty) Ltd is the controller of the personal data that you (the data subject) provide us. Once you consent to the collection of your personal data through engaging with our recruitment and employment processes, we collect the below-listed types of personal data from you the data subject.

The use and storage of your data are processed in accordance with this privacy notice.

### 2. DATA PROCESSING

#### Purpose of Processing

The processing of data is used for recruitment, contracting, and/or Employment Equity (EE) and Broad-Based Black Economic Empowerment (BBBEE) reporting purposes at Mezzanine Head Office, South Africa.

#### Legal Basis for Processing

The legal basis for the processing of the personal data of the data subject is:

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject; The applicable legislation is the Basic Conditions of Employment Act, No 75 of 1997, Basic Conditions of Employment Amendment Act, No 7 of 2018, Employment Equity Act, No 55 of 1998, Employment Equity Amendment Act, No 47 of 2013, Broad-based Black Economic Empowerment Act, No 53 of 2003, and Broad-Based Black Economic Empowerment Amendment Act, No 46 of 2013.

The applicable Union Laws or Member State laws necessary for compliance with a legal obligation to which the controller is subject or necessary for the performance of a task



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carried out in the public interest or in the exercise of official authority vested in the controller are:

- Basic Conditions of Employment Act, No 75 of 1997, and Basic Conditions of Employment Amendment Act, No 7 of 2018, Keeping written particulars of employment.
- Employment Equity Act, No 55 of 1998, and Employment Equity Amendment Act, No 47 of 2013, Submission of Employment Equity report to the Director-General of the Department of Labour.
- Broad-based Black Economic Empowerment Act, No 53 of 2003, and Broad-Based Black Economic Empowerment Amendment Act, No 46 of 2013, Promotion of transformation.

Where special category personal data is required the legal basis is:

- consent, or
- processing is necessary for the establishment, exercise, or defence of a right or obligation in law: Employment Equity Act, No 55 of 1998, Employment Equity Amendment Act, No 47 of 2013, Broad-based Black Economic Empowerment Act, No 53 of 2003, and Broad-Based Black Economic Empowerment Amendment Act, No 46 of 2013.

### **Voluntary or Mandatory Provision of Personal Data**

The personal data listed in section "Provision of Personal Data" is mandatory based on the below-listed laws or regulations.

- Basic Conditions of Employment Act, No 75 of 1997.
- Basic Conditions of Employment Amendment Act, No 7 of 2018.
- Employment Equity Act, No 55 of 1998.
- Employment Equity Amendment Act, No 47 of 2013.
- Broad-based Black Economic Empowerment Act, No 53 of 2003.
- Broad-Based Black Economic Empowerment Amendment Act, No 46 of 2013.

The personal data listed in section "Provision of Personal Data" is mandatory for the fulfilment of the product or service (contract) to which the data subject has or is applying for.

### **Provision of Personal Data**

Once you consent (or due to the legal basis listed above) to the collection of your personal data through the use of this product we collect the below-listed types of personal data from you the data subject.

- First name, last name/surname, maiden name
- Email address
- Phone number
- Date of birth



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- Address
- Citizenship
- Gender
- Title
- ID Number
- Banking Details
- Information about Customer's Creditworthiness
- Copy of) Driving License
- (Copy of) Identity Card
- (Copy of) Passport
- (Copy of) Residence Permit
- Education
- Employment Status and Employment History
- Records of Criminal Convictions
- Disability
- Marital Status
- Record of Ethnicity
- Taxpayer Identification Number
- Passport number
- Employee number

### **Consequences of Failure to Provide Information**

The consequences of failure to provide the personal data listed in section "Provision of Personal Data" is not being able to be employed or contracted by the Controller.

## **3. DATA TRANSFER**

### **Personal Data Recipients**

In the event that it is necessary to transfer personal information of the data subject to a third party the data subject shall be informed of the appropriate steps taken based on the lawfulness of processing.

The personal data of the data subject will be processed by the below-listed recipients.

- EmpowerLogic (Pty) Ltd, South Africa
- Internal employees on need to know basis
- M3 Human Capital, South Africa
- Vodacom SA (Pty) Ltd, South Africa

## **4. PERSONAL DATA STORAGE**



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The period for which the personal data will be stored is six (6) years after the termination of the data subject's employment or relationship with the Employer (or Company) for any reason.

## 5. **AUTOMATED DECISION-MAKING**

The processing activities do not include automated decision-making.

## 6. **SOURCE OF PERSONAL DATA**

The personal information of the data subject was lawfully obtained from the below-listed sources.

- Data Subject
- Employment status, employment history and Qualification; LinkedIn, Offerzen and recruitment agencies
- Record of criminal conviction; MIE

## 7. **DATA SUBJECT RIGHTS**

Data subjects have the below-listed rights with regards to the personal data of the data subject.

- Right of access to information regarding the purposes of the processing, the categories of personal data concerned, the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations, where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period.
- Right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing.
- Right to lodge a complaint with a supervisory authority.
- Right to any available information as to their source where the personal data are not collected from the data subject.
- Right to be informed of the existence of automated decision-making, including profiling, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- Right to be informed of the appropriate safeguards where personal data are transferred to a third country or to an international organisation.
- Right to be provided with a copy of the personal data undergoing processing.
- Right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal.
- Right to object to processing of personal information.



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- Right to be informed that and what personal information has been collected when not collected from the data subject.
- Right to be informed that and what personal information has been accessed or acquired by an unauthorised person as well as security compromises.

## 8. DATA SUBJECT COMPLAINTS

In the event that you wish to complain about how we have handled your personal data, please contact the Data Protection Officer at [data-protection-officer@mezzanineware.com](mailto:data-protection-officer@mezzanineware.com) or in writing at Suite 173, Private Bag x14, Die Boord, 7613. Our Data Protection Officer will then look into your complaint and work with you to resolve the matter.

If you still feel that your personal data has not been handled appropriately according to the law, you can contact the Information Regulator: South Africa (POPIA) or the relevant Supervisory Authority (GDPR) of your region.