



ELIAS MOTSOALEDI LOCAL MUNICIPALITY

PRIVACY STATEMENT

1. Who we are?

Elias Motsoaledi Local Municipality (EMLM) was established in 2000. EMLM is a Category B municipality as determined in terms of Municipal Structures Act (1998). EMLM is a municipality with a Collective Executive System as contemplated in Section 2(a) of the Northern Province Determination of Types of Municipalities Act (2000). The establishment of the municipality fulfilled the local government transformation process as articulated by the White Paper on Local Government, 1998. The White Paper envisaged the form and nature of new local government structures in the country. The local government structures are mandated to improve the quality of life of their citizens and residents.

2. Introduction

- 2.1. Your privacy and protection of your personal information is very important to EMLM.
- 2.2. We have developed this Privacy Statement to help you understand how we process your personal information.
- 2.3. For purposes of this Privacy Statement, “personal information”, “data subject” and “processing” will have the meanings given to them in the Protection of Personal Information Act 4 of 2013 (“POPIA”), refer to the link: <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-act-2013-004.pdf>
- 2.4. We reserve the right to amend this Privacy Statement at any time, without prior notice, by posting the amended Privacy Statement on our website.

3. Application of the Privacy Statement

- 3.1. This Privacy Statement applies to the processing of your personal information by us or on our behalf, such as data subjects who use our website and/or our services, and/or who provide us with products and services, clients and any other data subjects who engage with us.
- 3.2. This Privacy Statement does not apply to third party websites linked to our website, or websites that link to or advertise on our website.

4. Collection of Personal information

- 4.1. The personal information may be provided to us by you and/or collected by us when you engage with us and/or on your use of our services, and/or when you provide us with your products and services, and/or when you access our website or from third parties.
- 4.2. When visitors leave comments on our site, we collect the data shown in the comments form, and also the visitor's IP address and browser user agent string to help spam detection.
- 4.3. The type of personal information we collect will depend on the purpose for which it is collected and used. The specific purpose for which the information is collected will be apparent from the context in which the information is requested including but not limited to when:
 - 4.3.1. You utilise our services;
 - 4.3.2. You render services to the EMLM;
 - 4.3.3. You submit enquiries to us or contact us and you may be required to provide your name and surname, identity or passport number, postal or street address, title, contact numbers or e-mail address;
 - 4.3.4. You make use of our website or interact with us on social media, we may collect your non-personal browsing habits and click patterns, e-mail address, IP address, telephone data information or username and password;
 - 4.3.5. You apply for employment opportunities at the EMLM, you may be required to provide your name and surname, identity number, employment history, criminal behaviour; and
 - 4.3.6. You visit our premises where CCTV cameras are installed.
- 4.4. Where possible, we will inform you what information is voluntary and what information is mandatory for you to provide to us and the consequences for failing to provide the requested information.
- 4.5. We will only retain your personal information as long as necessary for the fulfilment of those purposes as have been identified by us and/or as required by law and/or as agreed with you.
- 4.6. If you leave a comment on our site, the comment and its metadata are retained indefinitely. This is so we can recognise and approve any follow-up comments automatically instead of holding them in a moderation queue.
- 4.7. For users that register on our website (if any), we also store the personal information they provide in their user profile. All users can see, edit, or delete their personal information at any time (except they cannot change their username). Website administrators can also see and edit that information.

5. How we use your information

- 5.1. Personal information will only be processed for the purposes for which it was collected and/or to comply with legal and regulatory obligations and/or as authorised by law and/or with your consent.
- 5.2. The purposes for which we process personal information includes, but is not limited to:
 - 5.2.1. Respond to your enquiry;
 - 5.2.2. Render our services to you;
 - 5.2.3. Comply with legal requirements or industry codes;
 - 5.2.4. Safety and security reasons; and

- 5.2.5. Compile non-personal statistical information about browsing habits, click-patterns and access to the EMLM's website.

6. Disclosure of information

- 6.1. The EMLM may disclose your personal information to third parties in certain circumstances, which include, but are not limited to:
 - 6.1.1. Where we have your consent; or
 - 6.1.2. Where we are required to do so by law; or
 - 6.1.3. To our service providers who are involved in the delivery of products or services, where we have agreements in place to ensure that they comply with these privacy terms.
- 6.2. Third parties to whom we disclose personal information include, but are not limited to:
 - 6.2.1. Service providers to the EMLM;
 - 6.2.2. Other state institutions; and
 - 6.2.3. Regulators, courts, tribunals and law enforcement agencies.
- 6.3. We may compile, use and share any information that does not relate to any specific individual and retains all rights to non-personal statistical information collected and compiled by us.
- 6.4. Events related data may be shared with meeting organisers and service providers contracted for such events for the purposes of organising the events and related activities such as marketing.
- 6.5. Visitor comments posted on our site may be checked through an automated spam detection service.

7. Transfer of information

- 7.1. Transfers of personal information outside the Republic of South Africa will be carefully reviewed prior to the transfer taking place to ensure that they fall within the limits imposed by the POPIA.
- 7.2. We may need to transfer your personal information to another country for processing or storage. We will ensure that anyone to whom we pass your personal information agrees to treat your information with similar protection as provided for in POPIA.
- 7.3. We may transfer your information to other countries which do not have similar protection as provided for in POPIA, with your consent.

8. Information security

- 8.1. We take appropriate and reasonable technical and organisational measures to prevent any unauthorised or unlawful access, loss of, damage to or unauthorised destruction of personal information.
- 8.2. We have implemented various policies, procedures and IT systems to safeguard personal information.
- 8.3. We regularly verify that the safeguards are effectively implemented and ensure that they are continually updated.
- 8.4. Notwithstanding paragraph 7.1 to 7.3 above, to the extent permissible by law, we shall not be liable for any loss, claim and/or damage arising from any unauthorised access, disclosure, misuse, loss, alteration or destruction of your personal information which is

beyond our reasonable control.

8.5. We have taken reasonable cyber-security steps to protect your data.

9. Data subject rights

- 9.1. Subject to POPIA provisions, you have the right to:
- 9.1.1. Request access to your personal information;
 - 9.1.2. Request, where necessary, the correction, destruction or deletion of your personal information;
 - 9.1.3. To object, to the processing of your personal information;
 - 9.1.4. To submit a complaint to the Information Regulator regarding the alleged interference with the protection of the personal information; and
 - 9.1.5. To institute civil proceedings regarding the alleged interference with the protection of your personal information.
- 9.2. You can request to receive the personal data we hold about you, including any data you have provided to us. You can also request that we erase any personal data we hold about you. This does not include any data we are obliged to keep for administrative, legal, or security purposes.

10. Embedded content from other websites

- 10.1. Articles on this site may include embedded content (e.g. videos, images, articles, etc.). Embedded content from other websites behaves in the exact same way as if the visitor has visited the other website.
- 10.2. These websites may collect data about you, use cookies, embed additional third-party tracking, and monitor your interaction with that embedded content, including tracking your interaction with the embedded content if you have an account and are logged in to that website.

11. Contact details

Should you have any concerns relating to this Privacy Statement, you may contact us on the below details:

Ms Namudi Reginah Makgata

The Information Officer

Organisation: Elias Motsoaledi Local Municipality
Address 2 Grobler Avenue
Groblersdal
0470

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