

POPIA DISCLAIMERS AND CONSENTS FOR RETAILERS

These disclaimers and consents can be applied immediately upon receipt of this document.

If you do not have your own website where people can send comments, please use the ‘Contact Us’ page on the SPAR website at any point in this document where it says (link). The website address is spar.co.za/Contact-us.

Social Media and Landing Page of your Website

Although people putting information onto ‘our’ Facebook pages, or asking to join a WhatsApp group, have supplied this information of their own free will, we still have a duty to secure their information while in our possession.

Clause	How it should be used
<p>In your interest, [company name] has done everything reasonably practicable to comply with all the relevant laws that they are subject to. In terms of the Protection of Personal Information Act (4 of 2013), we comply with industry standards when it comes to the collection, storage and protection of your personal information. Read all about the Act here: https://popia.co.za/act/. Should you have any queries for us regarding your rights as consumers, please leave us a comment here [link]”.</p> <p><i>The link should direct them to a prepopulated query form with a pop-up of the customer care disclaimer below.</i></p> <p><i>If you don’t have a Customer Care page of your own, please feel to use the SPAR group site.</i></p>	<p>This should be displayed on the landing pages of any websites or social media accounts as well as your WhatsApp messenger status. On WhatsApp messenger we should set this as an automated reply to new messages or if we are sending a message to a number or the first time.</p> <p>We do not request any personal information via this application so we need not provide the full disclaimers– if a customer shares this information of their own free will without any prompting, that is their responsibility!</p>

If you have a social media site where customers can submit complaints

Clause	How it should be used
<p>Thank you for your query. We will now ask you a few questions to allow us to assist you further, but first, please take a look at the following disclaimer:</p> <ol style="list-style-type: none"> 1. <i>[company name]</i>, with its head offices located at _____ is collecting this information to enable us to resolve your query and it will be used for this 	<p>People often leave complaints on social media such as FaceBook, Instagram etc – this might be done publicly or via direct message.</p>

<p>purpose only and disposed of thereafter, unless you consent to the information being retained for marketing purposes.</p> <ol style="list-style-type: none"> 2. This information is given to us by you voluntarily and of your own free will. 3. If you do not wish to provide us with this information, are unable to do so, or object to it being used, it may result in us being unable to assist you further. 4. To resolve your issue, and for that purpose only, we may share this information with third parties, unless you consent to it being shared for marketing purposes. 5. You have the right to access this information while in our possession and make corrections if necessary. 6. You also have the right to lodge a complaint via email with the office of the Information Regulator, at complaints.IR@justice.gov.za, if you are unhappy with the manner in which we deal with your information. 7. Do you understand and therefore consent to us processing your information? 8. Do you further consent to us retaining your information for the purposes of direct marketing and related activity? <p>We will use our best endeavours and take all reasonable precautions to ensure that any information provided, is only used for the purposes it has been provided.</p>	<p>Irrespective, the person should be sent this message via direct message before communicating with them on that platform.</p> <p>They need to reply with yes or no. if they reply with no, they should be directed to customer care with the relevant number.</p>
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To be added to emails sent from your store (if not already supplied by the SPAR Group Ltd)

Clause	How it should be used
<p>The SPAR GROUP LTD, its subsidiaries and affiliates*, has done everything reasonably practicable to comply with all the relevant laws and regulations applicable in your jurisdiction. In terms of the data protection laws in your country or territory, we comply with industry standards when it comes to the processing and protection of your personal information. This e-mail and attachments are confidential and intended only for selected recipients. If you are not the intended recipient or you have received it in error, you may not in any way disclose or rely on the contents. You may not keep, copy or distribute this e-</p>	<p>To be added to all email signatures across your company.</p>

mail. Should you receive it in error, immediately notify the sender of the error and delete this e-mail. If you are not the intended recipient, you are hereby notified that any use, copying, storage or dissemination of this email message or its attachments is strictly prohibited. Also note that this form of communication is not secure, can be intercepted, and may not necessarily be free of errors and viruses in spite of reasonable efforts to secure this medium. Any views and opinions expressed herein may not necessarily be those of The SPAR GROUP LTD, its subsidiaries or affiliates*. The aforementioned does not accept any liability for any damage, loss or expense arising from this communication and/or from accessing any attachment.

*subsidiary refers to any entity wholly or partially owned by The SPAR GROUP LTD.

*affiliate refers to any independent retailers of The SPAR GROUP LTD and in-country operations in various countries and territories.

Marketing (such as competitions)

Clause	How it should be used
<ol style="list-style-type: none"> 1. The [company name] (or SPAR Group Ltd, if it is a nationwide competition), with its head offices located at [company address] (or 22 Chancery Lane in Pinetown) is collecting this information as part of your entry into our competition (<i>please amend according to the relative marketing initiative running at the time</i>) and it will be used for this purpose only and disposed of thereafter. 2. This information is given to us by you voluntarily and of your own free will. 3. If you do not wish to provide us with this information, are unable to do so, or object to it being used, we will be unable to process your entry. (<i>depending on the marketing initiative this might have to be amended slightly</i>) 	<p>This must be included on any promotional material which actively asks for personal information, for example a competition or related campaign, and should be amended as indicated by the bracketed information.</p>

<p>4. We may share this information with third parties who are partnered with us in this initiative, for purposes relating to the competition (<i>amended where necessary</i>) only.</p> <p>5. You have the right to access this information while in our possession and make corrections if necessary.</p> <p>6. You also have the right to lodge a complaint via email with the office of the Information Regulator, at complaints.IR@justice.gov.za, if you are unhappy with the manner in which we deal with your information.</p> <p>By entering this competition (<i>providing information in whatever manner they are doing so</i>) you hereby declare your understanding of the aforementioned information and consent to the processing of your information in accordance with the Act.</p> <p>We will use our best endeavours and take all reasonable precautions to ensure that any information provided, is only used for the purposes it has been provided.</p>	
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For Job Applications by the Store

This disclaimer must be added if such applications are handled through either your own electronic media or an online agency. In the case of an agency, they would need to complete the Security Agreement which will be sent to all Direct Service Providers.

Clause	How it should be used
<p>Your application and all personal information provided herein is protected under the Protection of Personal Information Act (4 of 2013), hereinafter referred to as the “Act”.</p> <p>1. The [company name], with its head office at [company address] is collecting this information to enable us to facilitate your application and/or assess your suitability for the advertised position and will be used for this purpose only and disposed of thereafter unless you consent to the information being retained for marketing purposes.</p>	<p>This must be placed on every single advert, whether internal or external as well as on your careers landing page if you have one (this is in ADDITION to the social media disclaimer above which will be on the landing page of your website).</p> <p>It must be a ‘tick to proceed’ facility (tick box consent facility) and any applicant should be unable to pass on to the individual ads without ticking. It should be reiterated</p>

<ol style="list-style-type: none"> 2. Where shortlisted, your information will be retained for a period of 3 months and disposed of immediately thereafter. Where employment is offered, it will be retained as part of your employee portfolio and secured accordingly. 3. This information is given to us by you voluntarily and of your own free will. 4. If you do not wish to provide us with this information, are unable to do so, or object to it being used, it will result in the disqualification of your application. 5. In the course of the recruitment process, and for matters related to your application only, we may share your information with third parties. 6. You have the right to access this information while in our possession and make corrections if necessary. 7. You have the right to lodge a complaint via email with the office of the Information Regulator, at complaints.IR@justice.gov.za, if you are unhappy with the manner in which we deal with your information. <p>By submitting your application, you hereby declare your understanding of the aforementioned information and consent to the processing of your information in accordance with the Act, as well as the processing of any further personal information requested by us in the future including but not limited to, banking details, criminal history and credit reports/financial history information.</p>	<p>on the ad in normal text thereafter, but they will not to have accept it thereafter.</p>
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If you have a website where CVs can be sent in unsolicited, the following needs to be added:

Clause	How it should be used
<p>Any voluntary communication received by [company name], with its head offices at [company address], containing personal information or special personal information as defined in terms of the Protection of Personal Information Act (4 of 2013), hereinafter referred to as the “Act” will be secured according to industry standards and line with governing legislation while in our possession. We will use this</p>	<p>This is to be placed on the website at any site where applicant information is visible as unsolicited CVs, or complaints and other information tend to be sent using that information.</p>



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<p>information for the purpose for which it was sent to us only, and dispose of it thereafter. You have the right to access this information while in our possession and make corrections if necessary. You also have the right to lodge a complaint via email with the office of the Information Regulator, at complaints.IR@justice.gov.za, if you are unhappy with the manner in which we deal with your information.</p>	
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For employee contracts going forward (existing ones will be handled differently).

Clause	How it should be used
<p>Your personal information as recorded and stored by us is protected under and in full accordance with the Protection of Personal Information Act, (4 of 2013) hereinafter referred to as the “Act”. Any additional personal information that is supplied by you will be subject to the same standard of confidentiality and protection offered to date.</p> <p>Your information may be shared with third parties for purposes related to your employment with us, and your signature hereto acknowledges and consents to such further processing as per Section 15 of the Act.</p>	<p>By this point in the life cycle of the employee, personal information has already been obtained, and the relevant disclaimers have been made. This clause merely reiterates what they know and explains that it will be secured safely.</p>

For specific examples of collecting “special personal information” (eg Pharmacy at SPAR)

Clause	How it should be used
<p>In terms of the Protection of Personal Information Act, act number 4 of 2013, the following information is being brought to your attention:</p> <ol style="list-style-type: none"> 1. The [company name], with its head offices at [company address] is collecting this information to enable us to assist you to our best ability. 2. This information is given to us by you voluntarily and of your own free will. 3. If you do not wish to provide us with this information, are unable to do so, or object to it being used, it may result in us being unable to assist you further. 4. We may share this information with third parties if it will enable us to assist you further, and for that purpose only. 5. You have the right to access this information while in our possession and make corrections if necessary. 6. You have the right to lodge a complaint via email with the office of the Information Regulator, at complaints.IR@justice.gov.za, if you are unhappy with the manner in which we deal with your information. 	<p>The example of Pharmacy at SPAR is used here but this can be amended to suit other business processes which deal with special personal information.</p> <p>This consent must be a signed form, completed prior to taking any SPI.</p>

<p>7. We will use our best endeavours and take all reasonable precautions to ensure that any information provided, is only used for the purposes it has been provided.</p> <p>8. Do you understand and therefore consent to us processing your information?</p> <p>9. Do you further consent to us retaining your information for the purposes of direct marketing?</p>	
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For Customer Care phone system, if this is in-house

Please note that it is recommended that calls are recorded to provide proof of consent being given by the caller.

Clause	How it should be used
<p>If the caller wishes to remain anonymous please advise as follows:</p> <p>“As you have opted to remain an anonymous caller we will not be collecting any of personal information and will therefore not implement the recording facility at this time.”</p> <p>If the person indicates that they will be identifying themselves for the purpose of the complaint, please advise as follows:</p> <p>“Please note that this call is being recorded to ensure that we are compliant with the Protection of Personal Information Act, number 4 of 2013, and will be stored for a period of 12 months thereafter. Do you object to this recording?”</p> <p>If the person objects, please advise as follows:</p> <p>We respect your right to privacy and will not implement the recording facility at this time. Kindly note however, that as a result we may not collect any personal information, as defined, from you and that may limit our ability to address your concerns.</p>	<p>The customer care agent will generally answer a call and ask how they might be able to assist – usually the person on the other end has a complaint. After listening to the complaint, the agent will ask whether the complainant will be remaining anonymous for the duration of this call or whether they will be identifying themselves for the purpose of the complaint. Based on the caller’s answer, the appropriate clause must be used.</p> <p>At paragraph 4, where the person objects and the agent advises them of the accompanying disclaimer, the person will likely ask for an explanation. At this point the agent can advise that they are not legally allowed to ask for the information they would need to assist without the person’s consent to do so – such consent needs to be recorded as we must be able to prove that we obtained consent if need be. Therefore, if the caller does not wish to be recorded, we cannot prove we have asked for their consent to process information and therefore cannot take their information and accordingly might not be able to help them.</p>

<p>If person does not object: Thank you, I will now implement the recording facility. Please note that:</p> <ol style="list-style-type: none"> 1.The [company name], with its head offices located at [company address] is collecting this information to enable us to resolve your query and it will be used for this purpose only and disposed of thereafter, unless you consent to the information being retained for marketing purposes. 2.This information is given to us by you voluntarily and of your own free will. 3.If you do not wish to provide us with this information, are unable to do so, or object to it being used, it may result in us being unable to assist you further. 4.To resolve your issue, and for that purpose only, we may share this information with third parties, unless you consent to it being shared for marketing purposes. 5.You have the right to access this information while in our possession and make corrections if necessary. 6.You also have the right to lodge a complaint via email with the office of the Information Regulator, at complaints.IR@justice.gov.za, if you are unhappy with the manner in which we deal with your information. 7.Do you understand and therefore consent to us processing your information? 8.Do you further consent to us retaining your information for the purposes of direct marketing and related activity?" 9.We will use our best endeavours and take all reasonable precautions to ensure that any information provided, is only used for the purposes it has been provided. 	<p>They will likely hang up or thereafter consent – at which point the recording will begin.</p> <p>At point 7 they are asking for consent a second time. If the person refuses consent at this point must then advise that as explained before they will not be able to assist without collecting certain information which they cannot do without consent. A potential question might be that they already gave consent earlier – at which point the agent should explain that the earlier consent was for the recording of the call and we are now asking for consent to take down the persons personal information. If they still refuse, then we are to advise that we unfortunately cannot help them.</p> <p>If yes, the agent will lastly ask for consent ito point 8 (for marketing purposes). If the answer here is no that is fine and whatever answer is given should be noted.</p>
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