



WEBSITE PRIVACY NOTICE

for the

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA
("ITAC")**

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1. Definitions and abbreviations

- 1.1. “**Consent**” means any voluntary, specific and informed expression of will in terms of which permission is given for the Processing of Personal Information;
- 1.2. “**Data Subject**” means the person to whom Personal Information relates. In this Notice, the Data Subjects are ITAC website users;
- 1.3. “**ITA Act**” means the *International Trade Administration Act 71 of 2002 Act*;
- 1.4. “**ITAC**” means the International Trade Administration Commission of South Africa;
- 1.5. “**Notice**” means this Website Privacy Notice;
- 1.6. “**Operator/s**” means a person who Processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of the Responsible Party. Examples of Operators include IT service providers, vendors and other, suppliers that Process Personal Information on ITAC’s behalf;
- 1.7. “**PAIA**” means the *Promotion of Access to Information Act 2 of 2000*;
- 1.8. “**PAIA Manual**” means a manual prepared in accordance with section 14 of PAIA;
- 1.9. “**Personal Information**” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person;
- 1.10. “**POPIA**” means the *Protection of Personal Information Act 4 of 2013*;
- 1.11. “**Process/Processing**” means any operation or activity or any set of operations whether or not by automatic means, concerning Personal Information;
- 1.12. “**Regulator**” means the Information Regulator of South Africa;
- 1.13. “**Responsible Party**” means any public or private body or any other person who, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information. ITAC is a Responsible Party.; and
- 1.14. “**SACU**” means the Southern African Customs Union.

2. Introduction

- 2.1. We value the Personal Information that we collect from our Data Subjects. This Notice describes how we collect and Process your Personal Information and how we use and protect your Personal Information and your rights concerning Personal

Information in accordance with POPIA.

- 2.2. This Notice applies to all Personal Information we Process about you.
- 2.3. Personal Information is information, or a combination of pieces of information, which can identify you such as your contact details, your computer's IP address, or email address.
- 2.4. We may be required as a consequence of our relationship with you, or by law, to collect certain Personal Information about you. Failure to provide this information may prevent or delay the fulfilment of these obligations.

3. What type of Personal Information do we collect/Process?

- 3.1. We collect information from you when you visit our website and/or engage with our online services. The following is a non-exhaustive list of information we collect directly from you:
 - 3.1.1. details required for our various questionnaires and application forms that you submit to us regarding our services;
 - 3.1.2. details required for our marketing events, press releases, newsletter updates, emailers, media enquiries and similar circumstances;
 - 3.1.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person or juristic person;
 - 3.1.4. the personal opinions, views or preferences of the person or juristic person;
 - 3.1.5. correspondence sent by the person or juristic person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 3.1.6. the name of the person or juristic 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;
 - 3.1.7. correspondence you have with us; and
 - 3.1.8. other information you have given us.

4. How we use cookies or other personal identification software

- 4.1. Cookies are small software programmes that install themselves on your computer or your mobile device. They are intended to make your experience of visiting and navigating through our website easier and more pleasant.
- 4.2. Cookies may collect Personal Information such as the identity of your computer or mobile device and your location.
- 4.3. We use two types of cookies: “necessary” cookies, which help the website function properly when you visit it; and “non-necessary” cookies which are used for advertising and related purposes. Non-necessary cookies can be switched off when you visit our website and encounter our cookie “pop-up” notice.
- 4.4. If you do not want necessary cookies to be installed on your computer or mobile device, please do not use our website.

5. How we use your Personal Information

- 5.1. We use your Personal Information to provide our services and fulfil our legislative mandate in terms of the ITA Act and the SACU Agreement.
- 5.2. We will ensure that your Personal Information is Processed in a lawful manner and that we do not infringe on your privacy rights.

6. What is the legal basis for Processing your Personal Information?

- 6.1. We only Process your Personal Information if there is a legal basis for us to do so. In most cases the legal basis will be one of the following:
 - 6.1.1. to fulfil our contractual obligations to you;
 - 6.1.2. to comply with our legislative obligations in terms of the ITA Act and the SACU Agreement, for example, retaining information in relation to your anti-dumping application form;
 - 6.1.3. to comply with a public law duty, for example, to assist members of the public with queries relating to import and export duties;
 - 6.1.4. to meet our legitimate interests, for example to compile reports and assessments

- on the activities of ITAC to report to the board of directors; and
- 6.1.5. to protect yours or another person's legitimate interests.
- 6.2. We may obtain your Consent to collect and use certain types of Personal Information when we are required to do so by law.
- 6.3. If we ask for your Consent to Process your Personal Information, you may withdraw your Consent at any time by submitting a request using the details at the end of this Notice. However, if you withdraw your Consent, we will no longer be able to Process your information, which may prevent or delay the fulfilment of our obligations to you.

7. What are your rights over your Personal Information?

- 7.1. You have certain rights regarding your Personal Information, subject to applicable law. These include the right to:
 - 7.1.1. confirm whether or not ITAC holds Personal Information about you;
 - 7.1.2. access your Personal Information;
 - 7.1.3. request correction of your Personal Information;
 - 7.1.4. request deletion or destruction of your Personal Information;
 - 7.1.5. restrict the Processing of your Personal Information subject to certain conditions;
 - 7.1.6. on reasonable grounds, to object to the Processing of your Personal Information;
 - 7.1.7. withdraw your Consent to any Processing based on Consent at any time;
 - 7.1.8. to be notified where your Personal Information has been accessed or acquired by an unauthorised person; and
 - 7.1.9. lodge a complaint with the Regulator if you believe that we have not been able to assist you with your complaint.
- 7.2. If you feel that we are not dealing with your Personal Information fairly and lawfully, you may complain to the Regulator at JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001, P.O. Box 31533, Braamfontein, Johannesburg, 2017, or email popiacomplaints@inforegulator.org.za
- 7.3. Please first allow us to resolve any complaint by using the contact details below. Your complaint should include a brief description of what happened, when it happened, and

what Personal Information was Processed.

7.4. Should you need to exercise any of the other rights above, please make a request in writing by following the procedure set out under ITAC's PAIA Manual, alternatively, contact the Deputy Information Officer/s with any privacy related questions and/or comments to the email address listed below.

7.5. We encourage you to contact us to update or correct your information if it changes or if the Personal Information we hold about you is inaccurate. Please be aware, you may need to provide additional information (to confirm what information you wish to access) in order to Process your request.

8. Do we share your Personal Information with third parties?

8.1. We may share your Personal Information with third parties under the following circumstances:

8.1.1. we may share your Personal Information with our service providers that perform business operations for us. For example, we subcontract IT hosting and maintenance to other companies;

8.1.2. any law enforcement agency, court, regulator, government authority or other third party. We may share your Personal Information with these parties where we believe this is necessary to comply with a legal or regulatory obligation or otherwise to protect our rights or the rights of any third party; and

8.1.3. we may share your Personal Information with any third party where we believe we are compelled by an applicable law or regulation, if we find it necessary to exercise, establish or defend our legal rights, to protect ITAC's' rights or property, to protect the public from harm or illegal activities, or to respond to an emergency which we believe, in good faith requires us to disclose Personal Information to prevent harm.

8.2. We will only share your Personal Information in accordance with the requirements set out in POPIA.

9. How do we secure your Personal Information?

9.1. We implement technical and organisational measures to ensure a level of security appropriate to the risk of Personal Information we Process. These measures are aimed at ensuring the ongoing integrity and confidentiality of Personal Information and

preventing your Personal Information from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed.

- 9.2. In addition, we limit access to your Personal Information to employees, agents, contractors, and other third parties on a need-to-know basis only. Any third party who Processes your Personal Information on our instruction is subject to the terms and conditions of ITAC's Operator Agreement. We evaluate these measures on a regular basis to ensure the security of the Processing.

10. How long do we keep your Personal Information?

- 10.1. We will keep your Personal Information for as long as is necessary for the purposes set out in this Notice. Once these purposes have been fulfilled, we may retain your Personal Information for a period of time that enables us to:
- 10.1.1. maintain records for analysis and/or audit purposes;
 - 10.1.2. comply with record retention requirements under the law;
 - 10.1.3. defend or bring any existing or potential legal claims; and
 - 10.1.4. deal with any queries or complaints you may have.
- 10.2. We will delete your Personal Information when it is no longer required for these purposes. If there is any information that we are unable, for technical reasons, to delete entirely from our systems, we will put in place appropriate measures to prevent any further Processing or use of the Personal Information.
- 10.3. Furthermore, as a government entity, we are required to adhere to the provisions of the *National Archives and Records Service of South Africa Act* 43 of 1996, to manage and preserve government records.

11. Do we share your Personal Information with parties outside of South Africa?

- 11.1. ITAC may share your Personal Information with its suppliers, service providers, and other third parties with whom we engage business or whose services or products we elect to use, including cloud services hosted in international jurisdictions.
- 11.2. Before transferring Personal Information across borders, we take steps to ensure that the third-party recipient is located in a country which provides an adequate level of protection of your Personal Information, similar to POPIA, or that there is an agreement which satisfies the requirements for the transfer of Personal Information

across borders.

12. Changes to this Notice

We may modify or update this Notice from time to time. Any changes that we may make to this Notice will be effective from the date of being published.

13. How to contact us regarding the Processing of your Personal Information?

13.1. As a user of ITAC's website, you can contact our Deputy Information Officer/s to make enquiries about the Processing of your Personal Information on the below address.

Postal Address: International Trade Administration Commission of South Africa,
Private Bag X753, Pretoria 0001;

Street Address: The dti Campus, Block E, First Floor, 77 Meintjies Street, Sunnyside,
Pretoria;

Telephone Number: 012 394 3590;

Email: informationofficer@itac.org.za