

# **MALTO TOOLING (PTY) LTD T/A EXCEL TOOLING MANUFACTURING** **PRIVACY NOTICE**

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### **1. Introduction:**

In this document, reference to “Malto Tooling (Pty) Ltd”, “we” or “us” are to Malto Tooling (Pty) Ltd trading as Excel Tooling Manufacturing. Should you be uncertain whether this privacy notice applies, please see our contact details herein to lodge a query.

### **2. Who We Are:**

Malto Tooling (Pty) Ltd is a manufacturing company.

### **3. Type of Personal Information We Collect:**

Personal information includes any information that allows Malto Tooling (Pty) Ltd to identify you, such as your name/s and surname combined with your physical address, contact details and/or passport/identity number.

In terms of South African legislation, personal information also refers to the personal information that identifies legal entities, such as the trading name of a company combined with the company registration number.

In terms of South African legislation, special personal information refers to Information regarding race or ethnic origin, religious and philosophical beliefs, political persuasion, trade union membership, health or sex life, biometric information or any criminal behaviour which relates to alleged criminal offences or proceedings.

Malto Tooling (Pty) Ltd collects personal information about its clients and the information collected depends on how you elect to interact with us. These interactions include but are not limited to filling in contracts, email correspondence, telephone correspondence or online software communication. Information includes what clients tell us about themselves, what we learn by having a client or when a client makes use of our services.

## **4. Where and When do We Collect Personal Information:**

### **Information You Provide to Us:**

- Directly from you;
- Based on your use of our services;
- Based on how you engage or interact with us, such as social media and through e-mails, letters and telephone calls;
- Use of our website;
- From third parties affiliated with our services.

### **Information We Collect from Others:**

#### **Cookies, Web Beacons and Other Similar Technologies:**

We collect data through cookies and similar technologies. We use cookies and similar technologies to recognise you and / or your device(s) on, off and across different Services and devices. You can control cookies through your browser settings and other tools. You can also opt-out from our use of cookies and similar technologies that track your behaviour on the sites of others for third party advertising.

#### **Cookies:**

Cookies are small files that are saved onto your computer which track, save and store information about how you use our website and Services. In some instances, these cookies are needed for the website to function – you can disable them in your browser, but this may interfere with the proper functioning of our website.

#### **Your Device and Location:**

We receive data from your devices and networks, including location data. When you visit or leave our Services (including our plugins or cookies or similar technology on the sites of others), we receive the URL of both the site you came from and the one you go to next. We also get information about your IP address, proxy server, operating system, web browser and add-ons, device identifier and features, and / or ISP or your mobile carrier. If you use our Services from a mobile device, that device will send us data about your location based on your phone settings. We will ask you to opt-in before we use GPS or other tools to identify your precise location.

#### **Other:**

We are improving our service, which means we get new data and create new ways to use data. Our services are dynamic, and we often introduce new features, which may require the collection or sharing of new or existing information. If we collect materially different personal data or materially change how we use your data, we will notify you and may also modify this privacy notice.

#### **Important:**

It is in our legitimate interests to service our clients to the best of our abilities. If you fail to provide personal data when requested, which is necessary for us to consider your request, we may not be able to process your request in order for Malto Tooling (Pty) Ltd to get back to you or for Malto Tooling (Pty) Ltd to render the requested service.

## **5. When Will We Process your Personal Information:**

In terms of the Protection of Personal Information Act (POPIA), the justification ground which we base our processing on consists of the following:

- The data subject or a competent person where the data subject is a child **consents** to the processing. Kindly note that you have the right to withdraw your consent;
- The processing is **necessary** to carry out actions for the conclusion or performance of a contract to which the data subject is a party;
- The processing complies with an **obligation** imposed by law on the business;
- The processing protects a **legitimate** interest of the data subject;
- The processing is necessary for the proper performance of a **public law** duty by the business;
- OR
- The processing is necessary for pursuing the legitimate **interests** of the business or of a third party to whom the information is supplied.

## **6. When Will We Process Your Special Personal Information:**

Special personal information refers to the following categories of information:

- Religious and philosophical beliefs;
- Race;
- Ethnic origin;
- Trade union membership;
- Political beliefs;
- Health including physical or mental health, disability and medical history;
- Biometric information;
- Criminal behaviour where it relates to the alleged commission of any offence or the proceedings relating to that offence.

We will process special personal information in the following instances:

- You have consented to processing it (in circumstances where we are legally obliged to obtain your consent); or
- It is necessary to exercise or defend a right or obligation in law; or
- It is necessary to comply with an international legal obligation of public interest; or
- It is for certain historical, research or statistical purposes that would not adversely affect your privacy; or
- You have deliberately made your personal information public.

## **7. How We Use Your Information:**

Services:

We use the data we have about you (e.g. the data you provide, data we collect from your engagement with our services) to render the requested services to you.

Communications:

We will contact you, as well as enable communications between yourself and our service department. We will contact you through e-mail, mobile phone, notices posted on our websites or applications and any other ways through our services to you, including text messages.

Sensitive and Special Personal Information:

We will only use your sensitive and special personal information insofar as we are permitted by Law to do so.

Collection:

Enforcing our obligations, including without limitation to the collection of amounts outstanding from you for services rendered by us.

## **8. How We Share Your Information:**

### Third Party Service Providers:

We may make use of third party service providers to assist us with our services. They will have access to your information as reasonably necessary to perform these tasks on our behalf and are obligated not to disclose use it for other purposes.

Therefore, where required, we may share you information with the following third party service providers or bodies:

- Information technology, photocopiers;
- Employers organisations;
- Government institutions;
- Training providers;
- Training authorities;
- Financial administrators;
- Software/Website developers;
- Verification agencies.

### Legal Disclosures:

We may need to share your information when we believe it is required by law, legal process or to help protect the rights and safety of you, us or others. We attempt to notify members about legal demands for their personal data when appropriate in our judgment, unless prohibited by law or court order or when the request is an emergency. We may dispute such demands when we believe, in our discretion, that the requests are overbroad, vague, or lack proper authority, but we do not promise to challenge every demand.

## **9. How We Store and Protect Your Personal Information:**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our specific instructions, and they are subject to a duty of confidentiality.

## **10. Your Rights and Obligations:**

### Data Retention:

We keep most of your personal information while we still need to provide you with services or where we are legally obligated to do so.

We will process your information while you keep on making use of our services. This includes any information you have provided to us or we have collected from third parties as set out in this privacy notice.

We will also keep your information where you have agreed for us to do so, or have given your consent that we are allowed to do so.

We keep some of your information even after you have stopped making use of our services, if it is reasonably necessary to comply with our legal obligations, meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, enforce our other user agreements, or fulfil your request to object to our processing of your information.

### Rights to access and control your personal information:

You have rights in connection with your personal information. You have many choices about how your information is collected, used and shared.

In certain circumstances, by law, you have the right to:

- **Request access to your information:** You will be able to ask us what information we have about you as well as ask for a copy of this information. This should be done on request to [admin@exceltooling.co.za](mailto:admin@exceltooling.co.za). There are some exemptions, which means you may not always receive all the information we process. When we can give you a copy it might be done at a certain fee, which will also be communicated to you at the time of your query.
- **Change or correct information:** You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Delete information:** You can ask us to delete or remove personal information under certain circumstance.
- **Object to processing:** You can do this where we are relying on your legitimate interest, public interest or our legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal data for where you have given your consent for the specific processing and you want to retract your consent. Retracting your consent does not invalidate your information we lawfully processed while we had your consent to do so.
- **Request the restriction of processing:** You can ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.

If you want to make a request in respect of your rights above or object to the processing of your personal information or retract your consent, please send an email to [admin@exceltooling.co.za](mailto:admin@exceltooling.co.za)

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

## **11. Contact Information:**

Should you have a query, please send an email to [admin@exceltooling.co.za](mailto:admin@exceltooling.co.za)

### Our Information Officer:

Name and Surname: Monique Weyers

Email: [admin@exceltooling.co.za](mailto:admin@exceltooling.co.za)

Phone Number: 041 4027900

## **12. How to Complain:**

You have the right to lodge a complaint with the South African Information Regulator if you are unhappy with how we have used your Information.

### **The Information Regulator's contact details are as follows:**

**The Information Regulator (South Africa)**

33 Hoof Street  
Forum III, 3rd Floor Braampark  
P.O Box 31533  
Braamfontein, Johannesburg, 2017

**How to Lodge a Complaint with the Information Regulator:**

Download the prescribed complaint form using the link <https://info regulator.org.za/complaints/>

Email your completed form to [POPIAComplaints@info regulator.org.za](mailto:POPIAComplaints@info regulator.org.za)