

15 JULY 2021

PRIVACY POLICY

1. INTRODUCTION

Modern Hair Products & Services (Pty) Ltd T/A Modern Hair & Beauty recognises the importance of privacy and is committed to handling Personal Information in accordance with POPIA's provisions. This is the Privacy Policy of MHB situated at 65, Bofors Circle, Epping 2, Cape Town, South Africa. It should be read together with our [Terms and Conditions](#). Modern Hair & Beauty is the reseller of hair and beauty products to the trade and retail industries. Through the provision of these services Modern Hair & Beauty is by necessity involved in processing Personal Information of clients, third party service providers and other stakeholders. The Privacy Policy terms may change from time to time. Any changes will be made on the Modern Hair & Beauty website. Please ensure that you visit the website and regularly read this Privacy Policy.

2. PERSONAL INFORMATION

Personal Information, in terms of the Protection of Personal Information Act, 4 of 2013 ("POPIA"), means "information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person". South Africa's Constitution, Act 108 of 1996, provides that everyone has the right to privacy. This includes the right to protection against the unlawful collection, retention, dissemination and use of your Personal Information.

3. CONSENT AND COLLECTION OF INFORMATION

3.1. By providing Modern Hair & Beauty ("MHB", "we", "us", "our") with your Personal Information:

- 3.1.1. you agree to this Privacy Policy and authorise us to process such information as set out herein; and
- 3.1.2. authorise MHB, our service providers and other third parties to process your Personal Information for the purpose(s) stated in this policy.

MHB ensures that processing of Personal Information complies fully with POPIA and has implemented relevant organisational and technical controls as a result.

3.2. MHB may collect and process Personal Information in the following ways, with your consent,

- 3.2.1. through direct or active interactions;
- 3.2.2. in the course of a trade relationships;
- 3.2.3. through electronic, manual or written communications with you;
- 3.2.4. through visiting or interacting with the MHB website or social media platforms;
- 3.2.5. standard internet visitor usage information may be collected from the MHB website using "cookies".

3.3. Types of Personal Information we may collect:

- 3.3.1. Identity information;
- 3.3.2. Contact information;
- 3.3.3. Financial information;
- 3.3.4. Transaction information;
- 3.3.5. Technical information;
- 3.3.6. Usage Information;
- 3.3.7. Location information; and
- 3.3.8. Marketing and communications information.

4. POLICY PURPOSE

The purpose of this policy is to protect MHB from the compliance risks associated with processing of Personal Information, including:

- breaches of confidentiality
- damage to reputation
- failure to provide a choice

This policy entrenches MHB's commitment to the right to privacy and protection of Personal Information through compliance with POPIA and reasonable best industry practice, as well as a culture of privacy in MHB.

5. PROCESSING

MHB is responsible for the processing of Personal Information provided per 3.2 and will primarily use the information only for the purpose for which it was originally collected. Personal Information will only be transferred where there is consent, a legal obligation, in the performance of services by, or pursuit of a legitimate interest of, MHB.

MHB uses third party software for delivery administrative purposes and Personal Information may be hosted on the servers of those service providers. Service providers provide their own services and make their own decisions on what types of Personal Information they process for their own purposes. MHB exercises caution in selecting service providers, and carefully considers the risk of processing Personal Information.

6. SCOPE

You agree that MHB may process your Personal Information for the following, but not limited to, purposes, as relevant to our relationship with you:

- 6.1. operating our business;
- 6.2. to retain and make information available to you on our website and via other electronic means;
- 6.3. to maintain and update our database;
- 6.4. for direct marketing purposes;
- 6.5. to conduct market research surveys and other marketing activities;
- 6.6. to establish and verify your identity on the website;
- 6.7. transfer of information to an associated third party of supplier;
- 6.8. fraud prevention;
- 6.9. complying with information requests from the Information Regulator;
- 6.10. for security, administrative and legal purposes.
- 6.11. Complying with compulsory requirements under relevant laws;

7. POLICY APPLICATION

This policy applies to shareholders, all employees and volunteers, and all other persons acting on behalf of MHB and is to be read in conjunction with the provisions of POPIA.

8. YOUR RIGHTS UNDER THIS PRIVACY POLICY

You have the right to have your Personal Information processed lawfully. Your rights include the right:

- 8.1. to obtain confirmation from MHB that your Personal Information has been collected and is being held and to access any such information held.
- 8.2. to be notified that your Personal Information is being collected or that your Personal Information has been accessed or acquired by an unauthorised person;
- 8.3. to correction or deletion of Personal Information once MHB is no longer authorised to retain the information;
- 8.4. to object to processing of Personal Information. MHB will consider an objection against the requirements of POPIA plus any other applicable statutory and/or contractual record-keeping requirements, and inform you of our decision;
- 8.5. to object to direct marketing by means of unsolicited electronic communications;
- 8.6. to complain to the Information Regulator if you feel any of your rights under POPIA have been infringed. <https://www.justice.gov.za/inforeg/contact.html>;

- 8.7. to be informed that your Personal Information is being processed, and to be notified where there are reasonable grounds to believe your Personal Information has been accessed by an unauthorised person;
- 8.8. to erasure upon your request without undue delay if one or more of the following applies:
 - 8.8.1. the Personal Information is no longer necessary for the purposes for which it was processed;
 - 8.8.2. you withdraw consent to processing, and there is no other legitimate ground for the processing;
 - 8.8.3. you object to the processing and there are no overriding legitimate grounds for the processing;
 - 8.8.4. your Personal Information has been processed unlawfully;
 - 8.8.5. your Personal Information must be erased to comply with a legal obligation.
 - 8.8.6. to institute civil proceedings against MHB if you believe that we have interfered with the protection of your Personal Information.

9. ACCOUNTABILITY

MHB will ensure POPIA and the provisions of this policy are complied with through awareness training, building a culture of privacy, and encouraging desired behaviour. MHB undertakes to pursue appropriate action against individuals who through their actions and/or omissions, be it intentional or negligent, fail to comply with this policy.

10. SECURITY

MHB will ensure Personal Information is adequately protected by means of a secure filing system, with security measures to minimise risk of loss, unauthorised access, disclosure, interference, modification or destruction. The more sensitive the Personal Information, the greater the security. Security measures will be regularly reviewed and tested to prevent unauthorised access and to combat cyber-attacks on IT networks. Service agreements will only be concluded with parties who are committed to lawful processing of Personal Information.

11. RETENTION OF INFORMATION

Personal Information under the control of MHB is kept for as long as:

- a contract requires, such as a technical operation or transaction on the MHB website;
- consent is given and is not subject to any other legitimate interest or statutory obligation;
- is required for lawful business purposes;
- the law requires.

Personal Information of visitors to the warehouse premises will be retained for five years or until consent is withdrawn, whichever is the shorter.

12. COMPLAINTS PROCEDURE

You may exercise your rights by contacting the Information Officer. A 'Contact Us' facility is available on MHB's website if you wish to submit queries or complaints regarding your Personal Information. Queries made using this facility will be redirected and marked for the attention of the Information Officer. Complaints must be submitted in writing on the prescribed POPIA Complaint Form which can be obtained from the Information Officer, who will provide written acknowledgement of receipt within 3 working days. The Information Officer will determine the nature of the complaint and whether it may have a wider impact on you. The Information Officer will consider the complaint and endeavour to resolve the complaint in accordance with the principles of POPIA, amicably and in a fair manner. The Information Officer will revert with a proposed remedy or dismissal, including reasons, within 10 working days of receipt of the complaint. If you are of the opinion that your complaint was not handled properly, or you believe that your rights have been abused, you may contact the South African Information Regulator or a court with jurisdiction for relief.

The Information Regulator of South Africa

<https://www.justice.gov.za/infoereg/contact.html>