



PRIVACY POLICY

Last updated: 29 June 202

The American Chamber of Commerce in South Africa (“AmCham”) honours the rights of its members, employees and other users’ including website visitors’ right to privacy and data protection. AmCham is fully committed to complying with the provisions of all applicable Data Protection legislation and regulations such as POPIA. AmCham honours the rights of its members, employees and other users to privacy and data protection. This Privacy Policy (“Policy”) describes how AmCham collects, uses, shares, and retains personally identifiable information provided by users of this website. The Policy is effective as of 1st July 2021. The Policy will be continuously assessed against new technologies, business practices, regulatory changes and the evolving needs of AmCham and the memberships services provided AmCham. We are registered with the Information Commissioners Office, the SA’s Data Protection Authority.

Data Controller

The data controller for all personal data collected via our communication and website is the American Chamber of Commerce in South Africa, with offices at 60 5th Street, Killarney Country Club, Lower Houghton, 2196. This means that we are responsible for deciding what data we collect and how we hold and use your personal data. We will implement appropriate data security measures for protecting the data from unauthorised access and loss, as laid out in the Security section of this Policy.

Data Collection

Amcham collects and maintains a variety of personally identifiable information, including names, email addresses, phone numbers, payment information, social media profiles, business addresses, demographic information such as the local authority area or industry sector of the business and details of AmCham’s services the users may be interested in, such as networking, advocacy, events and webinars. AmCham collects information directly from individuals or from the parent companies of the individuals. The information could be collected through e-mails, phone calls, online registration forms, event registration forms and face to face meetings. AmCham does not collect personal data about individuals except when there is a legitimate business requirement or when such information is provided on a voluntary basis.

Users should also be aware that non-personal information and data may be automatically collected through the standard operation of AmCham’s web servers, and by the use of cookies technology and/or Internet Protocol (“IP”) address tracking. Non-personal identification information might include the browser used by you, the type of computer, the operating systems, the Internet service providers, and other similar information. AmCham’s web and newsletter server also automatically gathers information about the top viewed and visited pages and links on our website, top entry and exit points, number of form completions, time spent on pages, top downloads, top keywords used offsite to lead customers to

our website, your internet protocol (IP) address, information collected via cookies, the areas you visit on the website, the links you may select from within the website to other external websites and device event information such as system activity, crashes, hardware settings, browser type etc. Most browsers are set to accept cookies. You can set your browser to refuse cookies, or to alert you when cookies are being sent; however, if you disable cookies, the full functionality of AmCham's website and Newsletter may not be available to you. The information thus collected enables us to develop and customise our services better to meet your needs and preferences, and to bring to your attention member services, events, networking opportunities and training courses.

Purpose of Processing

The personal data collected is used by AmCham to give you information relation to AmCham membership, AmCham's website and Newsletter, other AmCham services, customer administration, prospecting new members, account management with existing members, to process and respond to queries received from the public or other relevant stakeholders, to contact you to seek your views or comments on emerging political or economic issues and to send marketing communications on AmCham's behalf or on behalf of AmCham's patrons and strategic partners. AmCham may perform statistical analyses of user behaviour and characteristics to measure interest in and the use of various sections of the website. The personal data held by AmCham may also be used on an aggregate basis without any personal identifiers to provide third parties with information, such as the composition of membership, and to help us develop new member services and products, improve the features and content of the website or other marketing material, and to provide sponsors and others with aggregate information about our members, website users and their usage patterns in relation to services and/or the website.

If you or your parent company are a current member of the American Chamber of Commerce in South Africa, opting out of promotional emails will not stop all communication from us. By becoming a member of AmCham, your firm is signing you up to receive certain information related to the organisation. It is a constitutional requirement for us to send this information to you.

If you are not a member of Amcham or if your or your parent company's membership has lapsed, you can choose to opt in or out of further contact with us.

Data retention

The personal data collected is stored in AmCham's CRM system and other appropriate data management systems, both paper-based and electronic. Personally identifiable information will not be disclosed to any third party except if permission has first been obtained from the users. At regular intervals, we will:

- review the length of time we keep your personal data for
- consider the purpose or purposes for which we hold your personal data for in deciding whether (and for how long) to retain it
- securely delete information that is no longer needed for that purpose or those purposes

- update, archive or securely delete information if it goes out of date.

Security

AmCham uses reasonable measures to safeguard personally identifiable information. The implemented measures will be appropriate to the type of information maintained and compliance with all relevant legislation governing protection of personal information. Measures are implemented to preserve the confidentiality, integrity, and availability of the 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 data to only those authorised employees, contractors or agents who have a legitimate business need to have access to that data. The authorised employees, contractors or agents will process your personal data in accordance with our instructions. They will be subject to a duty of confidentiality and due care with respect to handling the personal data. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so. AmCham's employees are trained on data security and information protection. Relevant areas of AmCham's website will employ Secure Socket Layer ("SSL") or Transport Layer Security ("TLS") encryption technology to enhance data privacy and help prevent loss, misuse, or alteration of the information collected and retained by AmCham.

Links to Third-Party Sites

Where appropriate and only for the legitimate business needs of AmCham and its members, AmCham may provide links to third-party web sites, or advertisements which contain links to third-party sites. These links are provided as a service to website users. The linked third-party websites are operated by independent entities that have their own privacy policies. This Privacy Policy does not apply to such other websites or to the use that those entities make of your information. AmCham has no control over the content displayed on such sites, nor over the measures, if any, that are taken by such sites to protect the privacy of your information. AmCham's website and Newsletter may also serve third party advertisements, or other content that contains their own cookies or tracking technologies. AmCham does not control the use of those technologies.

Opt-Out

AmCham is a membership organisation and for its legitimate business interests, must maintain contact information on its members and the wider business community to communicate information on membership, events, training courses, policy and research, international trade and any other AmCham services. AmCham also sends promotional material promoting its events, webinars, membership services, business support services, policy and research work and other relevant offerings. From time to time, AmCham collaborates with other relevant organisations and companies to promote other programs that may be of interest to members and the wider business community. In such cases, AmCham does not provide these organisations with any personally identifiable information but may distribute the organisation's information on their behalf to those who may legitimately be benefited from receiving such information or have elected to receive such information. If you do not wish to receive marketing

material, you may opt out. Every marketing e-mail will include an 'unsubscribe' link at the bottom. You may also notify AmCham in writing as set out below. If your parent company has nominated you as a relevant contact required to receive information on its behalf, you cannot opt out of important information AmCham is required to provide you as per AmCham's contractual obligations to its members.

Social media

We may use third party provided tools such to manage our social media interactions. If you send us a private or direct message via social media the message may be stored by such tools. Like other personal data, these direct messages will not be shared with any other organisations.

Access, Review and Correction

The General Data Protection Regulations gives you the right to access your personal data held by us ("subject access request"). If you have an established business relationship with AmCham, you may request from us a list of the categories of personal information held about you. Subject access requests must be made in writing to the details below. We will endeavour to respond to the request within a reasonable period and in any event within one month as required by the relevant provisions in the POPIA and other relevant legislation.

It is important that the personal data we hold about you is accurate and current. We will take all reasonable measures to ensure that the personal data we hold about you is accurate. We have also implemented procedures to enable you to review and correct your personal information, should there be any changes to your circumstances or errors in the gathered data. When you make a request to access or review the personal data we hold about you, we will request you to verify your identity before the request can be fulfilled.

Privacy Rights

In addition to the rights of access, review and correction, you have the right to object to your personal data being processed for any particular purpose, or to request that we stop using your information. If you wish to exercise these rights, please e-mail admin@amcham.co.za. If you have further concerns about how we use your personal data, you also have the right to make a complaint at any time to the Information Regulator. Please visit <https://popia.co.za> for more details on your data protection rights and how to contact them.

By dealing with us you agree to the terms and conditions of our Privacy Policy. This Privacy Policy can be amended unilaterally and the revised policy published on the AmCham website.

The American Chamber of Commerce in South Africa - POPIA POLICY expansion

1. INTRODUCTION

- 1.1 Whereas the American Chamber of Commerce in South Africa, registered as The American Chamber of Commerce in South Africa NPC (“AmCham”) is obliged to comply with the Protection of Personal Information Act 4 of 2013 (“POPIA”).
- 1.2 AmCham is required to inform Members as to how their Personal Information is used, disclosed and destroyed.
- 1.3 AmCham is committed to protecting Members’ privacy and ensuring that their Personal Information is used appropriately, transparently, securely and in accordance with applicable laws.
- 1.4 Wherefore this Policy sets out a manner in which AmCham deals with Personal Information as well as stipulates the purposes for which said information is used.

2. DEFINITIONS AND INTERPRETATION

- 2.1 Unless otherwise expressly stated, or the context otherwise requires, the words and expressions listed below shall, when used in this Charter, bear the meanings ascribed to them below, and cognate expressions bear corresponding meanings:
 - 2.1.1 “Board” means the Board of Non-Executive Directors of AmCham serving from time to time.
 - 2.1.2 “Directors” means the Non-Executive Board Directors of AmCham as defined in the Chamber’s (NPC) Memorandum of Incorporation.
 - 2.1.3 “Chief Information Officer” means the Chief Information Officer of AmCham.
 - 2.1.4 “Members” means the members of AmCham as defined in AmCham’s Memorandum of Incorporation.
 - 2.1.5 “Personal Information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:
 - 2.1.5.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or

mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;

2.1.5.2 information relating to the education or the medical, financial, criminal or employment history of the person;

2.1.5.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignments to the person;

2.1.5.4 the biometric information of the person;

2.1.5.5 the personal opinions, views or preferences of the person;

2.1.5.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

2.1.5.7 the views or opinions of another individual about the person; and

2.1.5.8 the name of the 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.

2.1.6 "POPIA" means the Protection of Personal Information Act 4, 2013.

2.1.7 "Policy" means this POPIA policy.

2.2 In this Policy:

2.2.1 table of contents and paragraph headings are for purposes of reference only and shall not be used in interpretation.

2.2.2 unless the context clearly indicates a contrary intention, any word connoting any gender includes the other genders, and the singular includes the plural and vice versa.

2.2.3 When a number of days are prescribed such number shall exclude the first and include the last day unless the last day is not a business day, in which case the last day shall be the next succeeding business day.

2.2.4 A reference to a business day is a reference to any day excluding Saturday, Sunday and a public holiday in the RSA.

3. PERSONAL INFORMATION COLLECTED

3.1 Section 10 of POPIA states that “Personal Information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.”

3.2 AmCham collects and processes Members’ Personal Information pertaining to their respective membership. The type of information will depend on the need for which it is collected and will be processed for that purpose only. Whenever possible, we will inform Members’ what information they are required to provide us with and what information is optional.

3.3 Examples of the Personal Information we collect includes but is not limited to:

3.3.1 Member’s contact information, identity number, name, surname, addresses, postal code and employment details;

3.3.2 Description of the Member’s residence, business, assets; financial information, banking details;

3.3.3 Member’s marketing preferences;

3.3.4 Member’s demographic data such as gender, age, country and preferred language; and

3.3.5 Any other information reasonably required by AmCham’s suppliers and Insurers.

3.4 AmCham also collects and processes the Members’ personal information for marketing purposes.

3.5 For purposes of this Policy, “Members” include potential and existing Members.

4. THE USAGE OF PERSONAL INFORMATION

4.1 Members Personal Information will only be used for the purpose for which it was collected and agreed. This may include:

4.1.1 Respond to Member’s enquiries and requests;

4.1.2 Providing products or services to Members and to carry out the transactions requested;

4.1.3 Confirming, verifying and updating Members details;

4.1.4 For the detection and prevention of fraud, crime, money laundering or other malpractice;

4.1.5 Conducting market or customer satisfaction research;

- 4.1.6 For audit and record keeping purposes;
- 4.1.7 In connection with legal proceedings;
- 4.1.8 To enable the Member to subscribe to Newsletters and mailing lists;
- 4.1.9 Providing our services to Members to carry out the services requested and to maintain and constantly improve the relationship;
- 4.1.10 In connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law; and
- 4.1.11 Any other reasonable usage of Personal Information with the consent of the Member.

5. DISCLOSURE OF PERSONAL INFORMATION

- 5.1 Subject to a Member's approval, AmCham may share Members' Personal Information with and obtain information about Members from third parties for the reasons already discussed above.
- 5.2 AmCham may also disclose Members' information where AmCham has a duty or a right to disclose in terms of applicable legislation, the law or where it may be deemed necessary to protect AmCham's rights.

6. SAFEGUARDING MEMBERS' INFORMATION

- 6.1 It is a requirement of POPIA to adequately protect the Personal Information we hold and to avoid unauthorised access and use of Personal Information. We continuously review our security controls and processes to ensure that Personal Information is secure.
- 6.2 The following procedures are in place in order to protect Personal Information:
 - 6.2.1 The Chief Information Officer, whose details are available below and who is responsible for the encouragement of compliance with the conditions of the lawful processing of Personal Information and other provisions of POPIA;
 - 6.2.2 Employees are required to sign Confidentiality Agreements which are considered annexures to their Employment Contracts;
 - 6.2.3 Hard copy files are stored at secure premises and are destroyed after five years;

- 6.2.4 AmCham's internal server hard drives are protected by tools provided by Lamont IT Solutions;
 - 6.2.5 A Disaster Recovery Register will be kept to log any security incidents and to report on and manage said incidents in conjunction with relevant outsourced partners;
- 6.3 Consent to process Member information is obtained from Members (or a person who is authorised by the client to provide the candidates' Personal Information) during registration/sign up of a Member.

7. ACCESS AND CORRECTION OF PERSONAL INFORMATION

- 7.1 Members have the right to access the Personal Information that AmCham holds about them. Members also have the right to ask for an update, correction or deletion of their Personal Information on reasonable grounds. Once a Member objects to the processing of their Personal Information, AmCham may no longer process such Members' Personal Information.
- 7.2 The Chief Information Officer can be contacted as per below details:
- 7.2.1 Chief Information Officer Details
 - 7.2.1.1 Telephone Number: 011 788 0265
 - 7.2.1.2 Registered Business Address: 60 5th Street, Killarney Country Club, Lower Houghton, Gauteng, 2196
 - 7.2.1.3 E-mail Address: ceo@amcham.co.za