



**sampra**

South African Music Performance Rights Association

## **WEBSITE AND APPLICATIONS PRIVACY NOTICE**

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## WEBSITE AND APPLICATIONS PRIVACY NOTICE

### 1. Purpose

- 1.1. South African Music Performance Rights Association (“**SAMPRA**” or “**we**” or “**us**”) is a collective management organisation. In the course of our business, we collect and process Personal Information relating to a range of Data Subjects, including anyone who communicates with us through, or registers on, our website and applications.
- 1.2. We value our website and applications visitors’ Personal Information. This privacy notice describes how we collect and process your Personal Information as a visitor of SAMPRA’s website and applications, how we use and protect this information, and your rights in relation to this information, in accordance with the Protection of Personal Information Act, 4 of 2013 (“**POPIA**”).
- 1.3. By reading this privacy notice, you will understand what we do with your Personal Information, or the Personal Information of third parties who have consented to you giving their personal information to us (“**consenting third parties**”). It is important that you read and understand this privacy notice if you would like to browse our website and applications.
- 1.4. This privacy notice applies to all Personal Information we collect or process about you in relation to your use of our website and applications.
- 1.5. Personal Information is information, or a combination of pieces of information, that could identify you such as your name, your contact details, your email address, and cellphone number.

### 2. What types of Personal Information do we collect and how do we collect it?

- 2.1. We automatically receive certain data about the computer or device you are using when you visit our website and applications:
  - 2.1.1. Your internet protocol (IP) address;
  - 2.1.2. Information about your browser or type of device you use;

- 2.1.3. Data collected through cookies, pixel tags, and other similar technologies (as described below in the “how we use cookies and personal identification software” section);
- 2.1.4. The date and time of your visit; and
- 2.1.5. Data about any information that you input on our contact form.
- 2.2. The nature of our service may require us, in certain instances, to collect your information from third parties. You consent to us contacting these third parties directly (or indirectly through a process that you will facilitate) and permit us to collect your Personal Information from them.
- 2.3. We will not intentionally collect and process the Personal Information of a child unless we have the permission of a competent person.
- 2.4. Where you provide us with your users’ or consenting third parties’ Personal Information you confirm that they have consented to the processing of their Personal Information such as their cellphone number, email address, and names.

### **3. Why do we collect your Personal Information?**

- 3.1. We collect your Personal Information in order to:
  - 3.1.1. manage and respond to requests from you made on the website and applications, for example, requests for information made via our contact form;
  - 3.1.2. adapt the paths and content offered to you;
  - 3.1.3. personalise our communication to have a better understanding of your needs and wishes;
  - 3.1.4. inform you of any new services created by SAMPRA;
  - 3.1.5. manage our relationship with our members and licensees. If you are an existing or potential member or licensee of SAMPRA, please refer to the Member Privacy Notice or the Licensee Privacy Notice, depending on your relationship with SAMPRA, for more specific information on how we collect and use your Personal Information;

- 3.1.6. improve the quality of our services;
- 3.1.7. secure and improve your use of the SAMPRA website and applications. In particular:
  - 3.1.7.1. improve browsing;
  - 3.1.7.2. implement security and fraud prevention; and
  - 3.1.7.3. take into account, process and monitor your choices and requests regarding the processing of your Personal Information, and to meet our legal and regulatory obligations in this respect.

#### **4. Who do we share your Personal Information with?**

- 4.1. In order to provide our services, we may need to pass your Personal Information on to third parties, such as our service providers. This privacy notice records your consent to us passing your information onto those third parties.
- 4.2. We will ensure that your Personal Information is processed in a lawful manner and that we do not infringe on your privacy rights.

#### **5. How do we protect your Personal Information?**

- 5.1. We promise that we will secure the integrity and confidentiality of your Personal Information in our possession or under our control. We will do this by taking appropriate, reasonable technical and organisational measures to prevent loss of, damage to, or unauthorised destruction of your Personal Information; and unlawful access to or processing of your Personal Information.

#### **6. Where do we store your Personal Information?**

- 6.1. Protecting your Personal Information is very important to us. We store your Personal Information on our, or our service providers', servers located in countries that have privacy levels that comply with or are better than POPIA.

- 6.2. If we ever outsource the processing of your Personal Information to a third-party operator, we will ensure that the operator processes and protects your Personal Information using reasonable technical and organisational measures that are equal to or better than ours.

## **7. Do we transfer your Personal Information to other countries?**

- 7.1. In the event that we transfer or store your Personal Information outside South Africa, we will take all steps reasonably necessary to ensure that the third party who receives your Personal Information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection.

## **8. What are your rights?**

- 8.1. You and consenting third parties have the right to have your Personal Information processed lawfully. Your rights include the right:
- 8.1.1. to be notified that we collect your Personal Information – we do so via this privacy notice;
  - 8.1.2. to be notified that your Personal Information has been accessed or acquired by an unauthorised person e.g. where a hacker may have compromised our computer system;
  - 8.1.3. to find out whether we hold your Personal Information and to request access to your Personal Information;
  - 8.1.4. to request us, where necessary, to correct, destroy or delete your Personal Information;
  - 8.1.5. to object, on reasonable grounds, to the processing of your Personal Information;
  - 8.1.6. to object to the processing of your Personal Information for purposes of direct marketing, including by way of unsolicited communications;
  - 8.1.7. not to be subject, in certain circumstances, to a decision which is based solely on the automated processing of your Personal Information;

- 8.1.8. to submit a complaint to the Information Regulator if you believe that there has been interference with the protection of your Personal Information or if you believe that an independent adjudicator who may be resolving your complaint against us, has not decided the matter correctly; and
- 8.1.9. to institute civil proceedings against us if you believe that we have interfered with the protection of your Personal Information.
- 8.2. Please see our PAIA manual to exercise your rights of access, correction, deletion and objection.

## **9. How do we use cookies and other personal identification software?**

- 9.1. Cookies are small software programmes that install themselves on your computer or your mobile device. They store data specific to a particular user and remember your preferences about our website and applications. Cookies are stored on your computer or mobile device for various lengths of time. Every time you return to our website and applications and browse it, cookies record this data, which is then transmitted to us or to third parties with whom we work.
- 9.2. Cookies are used to make your experience of visiting and navigating through our website and applications easier and more pleasant. Cookies and web tokens may collect personal information such as the identity of your computer or mobile device and your location.
- 9.3. We use two main types of cookies – session and persistent cookies. Session cookies are cookies that are erased from your device when you close your device’s web browser. They are stored in the temporary memory of a device and are not retained after the browser is closed. Session cookies do not collect information from your device.
- 9.4. Persistent or permanent cookies are stored on your device until they expire or until you delete the cookie. Persistent cookies are used to collect identifying information about you, such as your web surfing behaviour or user preferences for a specific website and applications.

- 9.5. If you do not want cookies or web tokens to be installed on your computer or mobile device, there is a relatively simple procedure in the settings of most browsers that allows you to deny or accept cookie features. It is important for you to know that cookies may be necessary to provide you with certain features available on the website and applications. It is possible that, without certain cookies, some features and functionalities on our website and applications may not work smoothly. You will therefore be asked to consent to cookies being installed on your computer or mobile device.

## **10. Changes to this privacy notice**

- 10.1. We may modify or update this privacy notice from time to time. If we change this privacy notice, we will notify you of the changes.
- 10.2. Where changes to this privacy notice will have a fundamental impact on the nature of the Processing or otherwise have a substantial impact on you, we will give you sufficient advance notice so that you have the opportunity to exercise your rights (e.g., to object to the Processing).

## **11. How to contact us about this privacy notice**

- 11.1. If you have questions and / or comments about our privacy notice or need to protect any of your rights set out in this privacy notice, please contact our Information Officer on the address below.
- 11.2. A data subject has a right of access to any Personal Information which SAMPRA may have and where applicable may ask SAMPRA to correct inaccuracies to any such personal information. Any access request must be done via the procedure stipulated in SAMPRA's PAIA manual, which is accessible on our website and applications.
- 11.3. Postal Address: P.O. Box 31600, Braamfontein, 2017
- 11.4. Street Address: 20 De Korte Street, Braamfontein, 2001, Gauteng.
- 11.5. Telephone Number: 011 561 9660
- 11.6. Email: [companysecretary@sampra.org.za](mailto:companysecretary@sampra.org.za)