

SOUTH AFRICAN



*CIVIL AVIATION
AUTHORITY*

**SOUTH AFRICAN CIVIL AVIATION AUTHORITY
EXTERNAL PRIVACY STATEMENT**

EXTERNAL PRIVACY STATEMENT

1. **Definitions**

For purposes of this Statement:

"Applicable Laws" means all laws, regulations that SACAA is required to comply with;

"Client", "Supplier," "You", or "Data Subject" means any prospective, new or existing client, vendor or Supplier of SACAA or any person to whom specific Personal Information relates, as contemplated in POPIA;

"POPIA" means the *Protection of Personal Information Act, 4 of 2013 and any regulations or codes of conduct* promulgated thereunder;

"SACAA" or **"We"** or **"Us"** means the South African Civil Aviation Authority a juristic person established in terms of the Civil Aviation Act".

"Social Media Platforms" means platforms such as Facebook, LinkedIn, Twitter, Pinterest, YouTube, Instagram, WeChat, WhatsApp, TikTok, Blogs and all other similar social media or communications platforms; and

"Website" means SACAA's website: www.caa.co.za

This Statement sets out how your personal information will be used by SACAA and applies to any information, including Personal and Special Personal Information, you give to SACAA or which SACAA may collect from third parties.

This Statement also describes how SACAA processes information it collects and/or receives from you by means of SACAA's Website or Social Media Platforms.

It is important that you read this Statement carefully before submitting any personal information to SACAA.

By submitting any personal information to SACAA you provide consent to the Processing of your Personal Information as set out in this Statement.

The provisions of this Statement are subject to mandatory, unalterable provisions of Applicable Laws;

Please do not submit any Personal Information to SACAA if you do not agree to any of the provisions of this Statement. If you do not consent to the provisions of this Statement, or parts of the Statement, SACAA may not be able to provide its products and services to you.

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How to contact us

If you have any comments or questions about this Statement please contact the Information Officer or the Deputy Information Officer, on the following details:

Full Names	Ms. P Khoza (Information Officer)
Telephone Number	(011) 545 1017
Email Address	paia@caa.co.za

Full Names	Ms. Nivashnee Naraindath (Deputy Information Officer)
Telephone Number	(011) 545 1269
Email Address	paia@caa.co.za

Amendment of this Statement

We may amend this Statement from time to time for any of the following reasons, among others:

- to provide for the introduction of new systems, methods of operation, services, products, property offerings or facilities;
- to comply with changes to any legal or regulatory requirement;
- to ensure that our Statement is clearer and more favourable to you;
- to rectify any mistake that may be discovered from time to time; and/or
- for any other reason which SACAA, in its sole discretion, may deem reasonable or necessary.

Any such amendment will come into effect and become part of any agreement you have with SACAA when notice is given to you of the change by publication on our website. It is your responsibility to check the website regularly.

Privacy and indemnity

SACAA takes your privacy and the protection of your Personal Information very seriously, and we will only use your personal information in accordance with this Statement and applicable data protection legislation. It is important that you take all necessary and appropriate steps to protect your Personal Information yourself (for example, by ensuring that all passwords and access codes are kept secure).

We have implemented reasonable technical and operational measures to keep your personal information secure.

You hereby indemnify and hold SACAA harmless from any loss, damages, or injury that you may incur because of any unintentional disclosures of your Personal Information to unauthorised persons or the provision of incorrect or incomplete Personal Information to SACAA.

Information of children

We do not intend to collect and/or process any personal information of children under the age of 18 (eighteen) unless we make this clear or in the case of a minor exercising their constitutional right. If you do provide any personal information to us of children, then you warrant that this is done with the consent of the child's parent or guardian to use this information as set out in this Statement. Unless it is a legal requirement to submit information of minors, do not submit. SACAA will Process Personal Information of children only in fulfilling a legal mandate authorised by an applicable legislation or when such a child exercises their constitutional right.

Suppliers and vendors

In the course of fulfilling our mandate, we may collect personal information about you as a data subject to ensure that the business agreement and matters relating to the agreement can be fulfilled.

We may also do a due diligence on you to ensure that you meet the requirements set out in our procurement policy.

If you provide any personal information of other persons to us, such as employees or your directors, you warrant that you are authorised to share their Personal Information with us for purposes set out in the Statement.

Information which we may collect about you

We may collect the following information about you:

- Information that may include your name, address, contact details, date of birth, place of birth, identity number, passport number, bank details, details about your employment, tax number and financial information; this list is not exhaustive.
- records of correspondence or enquiries from you or anyone acting on your behalf;
- details of transactions you carry out with us;
- details of contracts, sales or leases you carry out with us;
- sensitive or special categories of Personal Information, including biometric information, such as images, fingerprints, and voiceprints.

Where you provide us with the Personal Information of third parties you should take steps to inform the third party that you need to disclose their details to us, identifying us. We will process their Personal Information in accordance with this Statement.

Personal Information provided to us is usually provided voluntarily except in enforcement cases, but we may not be able to offer our products or services to you if you refuse to provide required information to us when it is a legal requirement to submit such information.

How we collect information

You may provide Personal Information to us either directly or indirectly (through an agent acting on your behalf, or an introducer), by completing an application form for our products and services or requesting further information about our products and services, whether in writing, through our website, over the telephone or any other means.

We may collect your Personal Information from your appointed agent, any regulator, or other third party that may hold such information.

In addition, your Personal Information (including Special Personal Information) may be included in aircraft onboard recordings which we may process when authorised to do so.

Use of information collected

We may use, transfer, and disclose your personal information for the purposes of:

- providing you with the services, products, or offerings as provided for in the civil aviation act, and notifying you about important changes to these services, products or offerings;

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- managing your account or relationship and complying with your instructions or requests;
- detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;
- assessing and dealing with complaints and requests;
- aircraft incident or accident investigations;
- to issue the following licences: operational, auditing, legal and record keeping requirements;
- verifying your identity or the identify of your beneficial owner;
- transferring or processing your Personal Information outside of the Republic of South Africa to such countries that may not offer the same level of data protection as the Republic of South Africa, including for cloud storage purposes and the use of any of our websites;
- complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government, and tax collection agencies;
- recording and/or monitoring your telephone calls and electronic communications to/with SACAA to accurately carry out your instructions and requests, to use as evidence and in the interests of crime prevention;
- conducting market research and providing you with information about SACAA products or services from time to time via email, telephone, or other means (for example, events);
- where you have unsubscribed from certain direct marketing communications, ensuring that we do not send such direct marketing to you again;
- disclosing your personal information to third parties for reasons set out in this Statement or where it is not unlawful to do so;
- monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from SACAA or any of its employees, agents, or contractors, including monitoring, recording and using as evidence all telephone communications between you and SACAA;

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- improving or evaluating the effectiveness of SACAA' business or products, services, or offerings; and
- prevention and control of any disease.

Disclosure of your information

Your Personal Information may be shared with SACAA's agents and sub-contractors and selected third parties who process the information on our behalf.

We may also disclose your Personal Information to third parties in the following circumstances:

- to any other of SACAA's business partners or other third parties to –
 - assess and monitor any of your applications for SACAA's products or services;
 - have a better understanding of your circumstances and needs to provide and improve SACAA's products and services;
 - to any relevant person and/or entity for purposes of prevention, detection and reporting of fraud and criminal activities, the identification of the proceeds of unlawful activities and the combatting of crime;
 - to any regulator and state department, or supervisory authority, including those in foreign jurisdictions, if SACAA is required to do so in terms of Applicable Laws;
 - to a prospective buyer or seller of any of our businesses or assets;
 - to any person if we are under a duty to disclose or share your Personal Information to comply with any Applicable Laws, or to protect the rights, property, or safety of SACAA, other clients or other third parties; and/or
 - to your agent or any other person acting on your behalf, an or an introducer.

We may transfer your information to SAACA's agent, sub-contractor or third party who carries on business in another country, including one which may not have data privacy laws like those of the Republic. If this happens, we will ensure that anyone to whom we pass your information agrees to treat your information with the same level of protection as if we were dealing with it.

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If you do not wish us to disclose this information to third parties, please contact us at the contact details set out above. We may, however, not be able to provide products or services to you if such disclosure is necessary.

Retention of your information

We may retain your Personal Information indefinitely, unless you object, in which case we will only retain it if we are permitted or required to do so in terms of Applicable Laws. However, as a rule, we will retain your information in accordance with retention periods set out in Applicable Laws, unless we need to retain it for longer for a lawful purpose. (For example, for the purposes of complaints handling, legal processes, and proceedings.)

Access to, correction and deletion of your Personal Information

You may request details of Personal Information which we hold about you under the POPIA. Fees to obtain a copy or a description of Personal Information held about you are prescribed in terms of the Promotion of Access to Information Act, 2 of 2000 (“**PAIA**”). Confirmation of whether we hold Personal Information about you may be requested free of charge. Should you need to obtain a copy of your Personal Information held by SACAA, a copy of same will be provided upon request in accordance with SACAA’s PAIA Manual.

You may request the correction of Personal Information SACAA holds about you. Please ensure that the information we hold about you is complete, accurate and up to date. If you fail to keep your information updated, or if your information is incorrect, SACAA may limit the products and services offered to you or elect not to open the account.

You have a right in certain circumstances to request the destruction or deletion of and, where applicable, to obtain restriction on the Processing of Personal Information held about you. If you wish to exercise this right, please contact us using the contact details set out above.

You have a right to object on reasonable grounds to the Processing of your Personal Information where the Processing is carried out in order to protect our legitimate interests or your legitimate interests, unless the law provides for such Processing.

Collection of Personal Information in terms of applicable laws

We may collect Personal Information in terms of the Civil Aviation Act, 13 of 2009 and other relevant laws set out in our PAIA Manual.

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Should you believe that SACAA has utilised your Personal Information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns with SACAA.

If you are not satisfied with such process, you may have the right to lodge a complaint with the Information Regulator, using the contact details available at: infoereg@justice.gov.za

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