

## **Auction Marketplaces (Pty) Ltd Privacy Policy**

### **1. Introduction**

We are committed to and respect your privacy. We are Auction Marketplaces (Pty) Ltd (Registration number: 2020/688165/07), including Auto Mart Auctions, Truck & Trailer Auctions, and AgriMag Auctions. This policy describes how we collect, use, disclose, store, and protect your personal information. We may amend this policy at any time by posting the amended version here and on our other sites, and applications.

### **2. Application**

This policy applies to you when you visit and use any of the Auction sites, application, service, instant messaging services, administrative tools, or order our goods or services as a customer either as a natural person or a business (collectively "Services"), regardless of how you access or use them.

If you use any of our Portals or Services, you are regarded as a customer and thus agrees to any subsequent messages from the Portal or Services that are required for it to function and provide you with the services and functionality it renders. As a customer, you are naturally opted in for these messages on an opt-out basis.

You are contracting with Auction Marketplaces (the data controller) and its service providers (the data processors - available on request) who are responsible for the collection, use, disclosure, retention, and protection of your personal information in accordance with the Protection of Personal Information Act 4 of 2013 (POPIA), as well as any applicable acts. Auction Marketplaces may transfer data to other members of the Junk Mail corporate family and we may process and retain your personal information on our servers and elsewhere in the world where our data centres or service providers are located.

### **3. Personal information**

3.1. Scope. Your personal information is information relating to an identified or identifiable natural person or business that we collect through our Portals and Services. An identifiable natural person or business is one who can be identified, directly or indirectly, by reference to an identifier such as:

- a first name and last name
- identification number
- email address
- contact number
- device ID
- race
- age
- personal information of competent person for those under 18 years of age
- sex
- unique identifier
- device type
- unique device token
- location data
- an online identifier
- company name
- company registration number

- computer
- connection information such as statistics on your page views, traffic to and from the Portals, referral URL, ad data, your IP address, your browsing history, web log information, the links you click, and other actions you take while using our Services
- or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person or business.

### **FICA requirements for our Auctions**

The Financial Intelligence Centre Act, 38 of 2001 (as amended) is an anti-money laundering act. The aim of the act is to combat money laundering and imposes certain duties on certain organisations in order to prevent and combat money laundering. As part of compliance with the aim this legislation seeks to achieve, the Auctioneer will require the following FICA Documentation from Sellers prior to the Goods being taken into auction to be sold on the Auction Platform, and from Buyers when they register to bid in the auction:

#### **Natural Person — Private Seller/buyer**

- SA ID document (Foreigners must provide Passport)
- Proof of residential address, not older than 3 months (e.g. utility bill)
- Seller/buyer to provide affidavit and marriage certificate if proof of residence is in spouse's or another person's name

#### **Company**

- CIPC Business Registration Papers
- Proof of business address of company e.g Utility bill not older than 3 months
- ID documents of company Directors
- Confirmation of residential address and contact details of company Directors
- Resolution to specify who is authorised to act on behalf of the company
- ID document(s) of person(s) authorised to act on behalf of the company
- Confirmation of residential address and contact details of person(s) acting on behalf of the company
- Confirmation of Company's Shareholding / Share Certificate
- Business Registration Number Certificate (BRNC)

#### **Close Corporation (CC)**

- CIPC Business Registration Papers
- Proof of business address of Close Corporation e.g. utility bill not older than 3 months
- ID document(s) of Member(s)
- Proof of residential address, not older than 3 months (e.g. Utility bill), and contact details of member(s)
- Resolution to specify who is authorised to act on behalf of Close Corporation
- ID document(s) of person(s) acting on behalf of Close Corporation
- Confirmation of residential address and contact details of person(s) acting on behalf of Close Corporation
- Business Registration Number Certificate (BRNC)

#### **Trust(s)**

- Letters of authority signed by the Master of the High Court
- Trust Deed or other Founding documents

- Resolution to specify who is authorised to act on behalf of Trust
- ID document(s) of person(s) acting on behalf of Trust
- Confirmation of residential address and contact details of person(s) acting on behalf of Trust
- ID documents of all trustees and beneficiaries
- Proof of residential address and contact details of all trustees and beneficiaries
- ID document of the Founder of the Trust
- Proof of residential address and contact details of the Founder of the Trust
- Business Registration Number Certificate (BRNC)

**This personal information can be collected by various means and sources:**

- automatically when you visit and use our Portals and Services
- on registration or submission
- submitted information on a web form
- responses to marketing via email, SMS, and social media platforms
- feed/import adverts to our Portals
- calling a call tracking number
- respond to an advert via WhatsApp
- update or add information to your account
- cookies, web beacons, unique identifiers, and similar technologies
- participation in community discussions, chats, and surveys
- dispute resolution or when you otherwise correspond with us
- through an order
- provided voluntarily
- excludes anonymous, de-identified, statistical, and public information.

3.2. Your obligations. You may only send us your own personal information or someone else's personal information if you have their permission to do so.

3.3. In order to enter into our [Terms of service](#), some of your personal information is necessary while other personal information is voluntary, but all may all be necessary in order to use our Services, such as posting an ad, responding to an ad, and registering.

#### **4. Acceptance and changes**

4.1. Acceptance. You may not make use of any of our Portals or Services if you do not accept our [Terms of service](#) or [Privacy Policy](#).

4.2. Changes. We may change this policy at any time and will notify you of the changes on our Portals, through our Services, or by email. The changed policy applies to you if you continue using our Portals or our Services following the notification.

#### **5. Collection**

5.1. Automatically. We collect your Internet usage information automatically when you visit our website, including your IP address, browser details, and usage information, which we may use to display our Portals or Services correctly, track your activities on it, or for other necessary purposes.

5.2. On registration or submission. We may ask you to provide us with certain identifying information when you register on or otherwise submit information through our Portals or Services for the first time.

5.3. Submitted information on a web form. You will need to provide information while completing and submitting any form on our Platforms or Services.

5.4. Respond to marketing on email, SMS, and social media platforms. We may collect and process your data when you interact with marketing activities like responding to an email, filling in a lead form on Facebook, responding to an SMS.

5.5. Feed/import adverts to our Portals. We may collect and process certain information from feeds, APIs or other imports to enable a more automated way of advertising and managing adverts to the benefit of the advertiser.

5.6. Call a call tracking number. We will collect, process, and record calls made to call tracking numbers displayed on our Portals or through our Services for quality, training, marketing, and security purposes.

5.7. Respond to an advert via WhatsApp. We will collect and process your mobile number associated with WhatsApp when you respond to an advert that has WhatsApp enabled as a means of contact. We will also collect your contact number when you save our WhatsApp number on your phone and send us a message through this channel.

5.8. Update or add information to your account. We will collect and process the newly submitted information related to your profile and account to keep our records up to date.

5.9. Cookies, web beacons, unique identifiers, and similar technologies. We may collect and process information about the pages you view, the links you click, and other actions you take while using our Portals or Services. Click here to view our Cookie Policy or here to [manage your Cookie preferences](#).

5.10. Participate in community discussions, chats, and surveys. We may collect information when you discuss, chat or complete surveys about or through our Portals and Services.

5.11. Dispute resolution or when you otherwise correspond with us. We may collect information when you contact us on any of our Portals or through our Services and from any form or source of device or application.

5.12. Through an order. We ask you to provide us personal information when you order free or premium usage of our Portals or Services.

5.13. Provided voluntarily. We may ask you to provide us with certain optional information on a voluntary basis.

5.14. Consent to collection. We will get your consent to collect your personal information in accordance with the POPI act and other applicable laws when you provide us with it.

5.15. Purpose for collection. We may process information that you provide to us to be able to provide you with effective and relevant services and marketing and for the purposes that you indicated. Processing includes gathering your personal information, disclosing it, and combining it with other personal information.

## **6. Use**

6.1. Scope. We respect your privacy and have implemented the POPI Act to the best of our understanding and knowledge. We will never share your personal and/or contact information with anyone without your consent or if ordered by law. Your personal information is used to provide and

improve our Portals and Services, provide you with a personalised experience, provide you customer service and help, provide you with personalised advertising and marketing, contact you about your account and our Services, and to detect, prevent, mitigate, and investigate fraudulent or illegal activities.

6.2. Processing. We may process your personal information to fulfil our obligations to you and our customers. Your information will be used to personalise recommendations and information we send you regarding news, events, promotions, special offers, marketing, and third-party content. We also process the personal information we collect from you for a range of different business purposes that includes improving our Portals and Services, compiling statistics and reports, and to enforce our [Terms of Service](#), this Privacy Policy, and other policies or any agreement or contract we have with you.

6.3. Cookies. We may place small text files on your device when you visit our Portals or use our Services that allow us to provide you with a personalised experience by associating your personal information with your device. They let us remember your preferences, allow third parties to provide services to you, and otherwise serve useful purposes for you. Your internet browser generally accepts them automatically, but you can often change this setting or delete them manually. However, we will not be able to provide you with access to certain aspects of our Portals and Services where cookies are necessary if you do so. We have no access to or control over any cookies that our business partners use on our Portals and they have their own privacy policies that govern them. Click here to view our Cookie Policy or here to [manage your Cookie preferences](#).

6.4. Messages. We aim to only contact you or send you messages and marketing when we determine them to be of interest to you. We may use your identifying information to send you administrative information and messages about our Portals, Services, updates, and your interests. We may also, from time to time, send you promotional messages or marketing from third parties, but you may choose to opt-out of them, or we will first send you one message asking you to opt-in and will not continue to send you promotional messages or marketing unless you have done so. We don't sell or share your personal information with third-party services for marketing purposes. We may contact you via email, telephone, SMS/text messages, postal mail, social media platforms, instant messaging systems, and via push notifications (collectively "Marketing Channels").

6.5. Targeted content. We may use your personal information to provide you with targeted content on our Portals and through our Services and Marketing Channels in a completely automated process. We aim to deliver targeted marketing, service updates, and promotional offers about third-party services based on your communication subscription/preferences.

6.6. Manage subscription/preferences. You have the right to withdraw your consent at any time. Visit our POPIA information page for a quick-and-easy guide on how to request this or click here to read our PAIA manual.

## **7. Disclosure**

7.1. Sharing. We do not sell, rent, or otherwise disclose your personal information to third parties for their marketing and advertising purposes without your consent. We may share your personal information with third parties for the purposes of fulfilling our obligations to you, including with:

- other companies or divisions within our group
- our contractors who help provide part of our goods or services, or
- third parties as required by applicable law.

7.2. Honour this policy. We will require anyone that we share your personal information with to honour this policy whenever possible in terms of applicable law.

7.3. Mandatory disclosure. We may disclose personal information to third parties if required for legal reasons, such as to regulators as required by law or governmental audit, law enforcement as required by a subpoena or court order, or third parties as required by applicable law.

7.4. Marketing purposes. We may disclose aggregate statistical information that we have derived from your and other people's personal information to our advertisers or business partners.

7.5. Personnel. We may need to disclose personal information to our personnel to do their jobs, but will not do so unnecessarily.

7.6. Change of ownership. We may assign our rights to the personal information we process to our new owners if our ownership changes for any reason.

7.7. Disclosure. We attempt to minimise the amount of personal information we disclose to what is directly relevant and necessary to accomplish the specified purpose.

## **8. Storage**

8.1. Accuracy. We will do our best to keep your personal information that we collect accurate, complete, and up to date. It is also your responsibility to keep us informed of any changes to your information, including contact information or advertised items or positions.

8.2. Participation. We may ask you to update your personal information from time to time or give you a way to review it, but will take steps to verify your identity to prevent unauthorised access when doing so.

8.3. Retention. We will only keep your personal information for as long as is necessary to fulfil our obligations to you, unless you have given us permission to keep it longer or we are otherwise legally allowed to do so. We retain your personal information for as long as necessary to provide the Services you have requested, or for other essential purposes such as complying with our legal obligations, resolving disputes, and enforcing our policies. Our specific retention times can vary significantly based on context of the Services we provide and on our legal obligations. After it is no longer necessary for us to retain your personal information, we will dispose of it in a secure manner.

8.4. Transfer. We may transfer your personal information outside of the country in which it was collected to a foreign country. You consent to us processing your personal information in a foreign country with less stringent data protection laws than the country in which it was collected.

## **9. General**

9.1. Updating or removing. You may update or remove your personal information through our website or application or by contacting us. Visit our POPIA information page for a quick-and-easy guide on how to request this or click here to read our PAIA manual.

9.2. Limitation. We are not responsible for anyone else's privacy policies or practices.

9.3. Enquiries. Please [contact us](#) if you have any questions about this privacy policy or how we handle your personal information.

## **10. Complaints Procedure**

10.1. Procedure. We have set out some guidelines to ensure that we can effectively respond to complaints. It explains what we would require from you in order to provide feedback and take appropriate action. [Link to complaints procedure.](#)

10.2. Contact us. If you feel that any law related to your personal information has been incorrectly interpreted and implemented by us, please [contact us](#) immediately.

10.3. Your right to file a complaint with the Information Regulator remains unaffected.