



MLA SA PRIVACY POLICY

PLEASE READ THESE TERMS AND CONDITIONS OF OUR PRIVACY POLICY CAREFULLY. IT EXPLAINS THE RIGHTS, OBLIGATIONS AND ACKNOWLEDGEMENTS OF BOTH THE COMPANY AND YOU AS THE DATA SUBJECT/CLIENT/SERVICE PROVIDER. IF YOU ARE UNCERTAIN AS TO THE MEANING OF ANY OF THE PROVISIONS OF THESE TERMS, YOU ARE TO DISCONTINUE USE OF ANY SERVICES OFFERED BY THE COMPANY UNTIL SUCH TIME THAT YOU ARE ABLE TO CONFIRM YOUR UNDERSTANDING OF THE AGREEMENT HERETO.

- We are committed to protecting your privacy. This Privacy Notice applies to all of our brands/products/services and explains how we collect, use, disclose and protect your Personal Information and respect any rights you benefit from under the Protection of Personal Information Act, 2014 (as amended) ("[POPI](#)"), and any other applicable privacy provisions.
- In this Privacy Notice "we", "us" and "our" refers to the business MLA Theatrical Agents cc t/a MLA and/or all the companies of the MLA group.
- Your Personal Information is controlled by MLA (having a registered office at 14 Clamart Road, Richmond, 2092, Johannesburg, Gauteng, South Africa.

DEFINITIONS

By "**Personal Information**" we mean information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

- a) 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;
- b) information relating to the education or the medical, financial, criminal or employment history of the person;
- c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- d) the biometric information of the person;
- e) the personal opinions, views or preferences of the person;
- f) 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;



- g) the views or opinions of another individual about the person; and
- h) 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;

By “**Sensitive Personal Information**” (also referred to as “special categories of data”) we mean any Personal Information relating to an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data or biometric data processed for the purpose of uniquely identifying that individual, data concerning health, or data concerning an individual’s sex life or sexual orientation. It also includes information about an individual’s criminal offences or convictions, as well as any other information deemed sensitive under applicable data protection laws.

By “**consent**” means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information;

By “**data**” we mean information in electronic form.

QUICK REFERENCE

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1. SCOPE OF OUR PRIVACY NOTICE

Our Privacy Notice applies to all Personal Information we collect, use, share or otherwise process through our business activities, both online and offline, which display, link or refer to this Privacy Notice, including:

- our official social media pages;
- our e-mails;
- your conversations or correspondence with our representatives.

Throughout this document, we will refer to our interaction and activities as "Services".

You should be aware of the fact that in rendering services there may be third party involvement which are not controlled by us and which are not covered by this Privacy Notice. We have no responsibility or liability for the content and activities of these third parties. As these third parties may collect your Personal Information, we suggest that you consult the privacy policies of these third parties to learn more about their use of your Personal Information.

Further, when using our Services, please always also read our **Terms and Conditions**.

2. FAIR AND LAWFUL PROCESSING

We process your Personal Information for the below listed purposes on the basis of your consent, unless stated otherwise. In some cases, where required by POPI, we may ask for your explicit consent for processing your Personal Information for a specific purpose.

We only collect, use, disclose or otherwise process your Personal Information where it is fair and lawful to do so.

In many cases providing your Personal Information to us is necessary for the performance of your contract with us; if you do not wish to provide your Personal Information to us, we may not be able to provide you with the products and services you have requested from us.

3. HOW DO WE OBTAIN YOUR PERSONAL INFORMATION?

Personal Information obtained from you directly

Firstly, we may obtain your Personal Information from you directly, e.g. when you request our services, sign up for our newsletters, *register on our Sites*, buy a product from us, fill out a survey, make a comment or enquiry, *post something on our social media pages*, *subscribe to direct marketing* etc.



Personal Information collected this way may include:

- name;
- address;
- e-mail address;
- username;
- telephone number (and recordings when you call our consumer line);
- credit card or other payment information;
- age;
- date of birth;
- gender;
- product purchase and usage information;
- household information;
- information, feedback or content you provide regarding your marketing preferences;
- user-generated content, posts and other content *you submit to our Sites*;
- in limited circumstances, information about your family or other individuals that you have provided to us. In such cases, we assume that you have the authority to share any personal information you provide to us about them;
- in limited circumstances based on your explicit consent or for carrying out our legal obligations or if necessary, for reasons of substantial public interest, Sensitive Personal Information such as information relating to your image, health (including information related to product usage and medical history), sexual life (and related behaviour) and biometrics collected during volunteer consumer research studies (such as facial expression recognition, heart rate and skin condition);
- demographic information; or
- any other Personal Information you voluntarily provide us with directly.



Personal Information collected automatically

Secondly, some Personal Information may be collected automatically when you visit or use our Sites (and those of our third-party service providers acting on our behalf), such as information collected by cookies and other technologies (such as web analytic tools and pixel tags) on our websites. Please also consult our Cookies Policy for more information on how we make use of cookies and other automated means of data collection.

Personal Information collected this way may include:

- information about your (mobile) device or your type of browser;
- information about the way you use our websites, such as details of the web pages you have viewed, the banners and the hyperlinks you have clicked, etc.;
- whether you have opened e-mails sent by us to you;
- the websites you have visited before arriving at one of our websites;
- your IP address;
- the hyperlinks you have clicked;
- your username, profile picture, gender, networks and any other information you choose to share when using third party sites (such as when you use the “Like” functionality on Facebook or the +1 functionality on Google+);
- information you choose to share by using social media tools incorporated in our websites or using your social media log-in details to access certain of our product sites or applications; and
- information you share with us about your location. Where we are required to do so under POPI, we will only use that information where you have agreed that we can.

Personal Information obtained from other sources

Lastly, we may also collect Personal Information about you from other sources. These other sources may include:

- our trusted business partners;
- social media sites;
- consumer research organisations;



- credit reference agencies;
- intermediaries that facilitate data portability; and
- other members of our group.

Personal Information collected this way may include your interests such as hobbies and pets, consumer and market research data, purchase behaviour, publicly observed data or activities such as blogs, videos, internet postings and user generated content.

4. FOR WHICH PURPOSES, MAY WE USE YOUR PERSONAL INFORMATION

We use your Personal Information for our following business purposes:

Based on your contract with us, handling and managing your purchase, for instance to communicate to you with respect to your purchase, to process your payments, to deliver the purchased products and services, and to offer you the necessary customer service;

- Allowing you to participate in promotions, contests, surveys and polls;
- Better understanding your needs in order to provide you with more relevant information, analysing and evaluating our corporate activities, testing, developing and evaluating new products and improving our existing products and services, conducting market research and audits, identifying user trends and examining the degree of effectiveness of our marketing campaigns and degree of satisfaction of our customers;
- Telling you about our products and services, and sending you promotional materials (such as announcements relating to new products, promotions, savings programs, joint promotions and other programs) relating to our brands and those of our carefully selected trusted business partners, subject to your consent to such marketing where required by POPI;
- Responding to your requests or enquiries;
- Dealing with any product adverse events you report to us;
- Administering general record keeping; and
- Meeting legal and regulatory requirements.

This Privacy Notice sets out the legal grounds on which we rely in order to process your Personal Information. In such cases, our use of your Personal Information is permitted by law because:



- it is necessary for lawful processing in the effective delivery of information, services and products to you and in the effective and lawful operation of our business (in each case provided such interests are not overridden by your rights);
- it is necessary for taking steps to enter into a contract with you for the products you purchase, or for carrying out our obligations under such a contract;
- it is required to satisfy any legal or regulatory obligations that we are subject to; and
- in limited circumstances and if required under POPI, you have voluntarily agreed and herewith further consent, to us processing your Personal Information.

We may create anonymous data records from Personal Information by excluding information (such as your name) that make the data personally identifiable to you. We use this anonymous data to analyse our products and services. We reserve the right to use such anonymous data for any purpose and disclose anonymous data to third parties, including but not limited to our research partners, in our sole discretion.

5. TO WHOM WE MAY DISCLOSE YOUR PERSONAL INFORMATION

Intra-group sharing

Your Personal Information may be shared between the different companies and brands of our group, for the purposes set out in this Privacy Notice. As we have stated above, this Privacy Notice applies to all these companies' and brands' use of your Personal Information. For more information about us, our companies, our brands, and our presence in your jurisdiction, please contact [Nina Morris on Nina@mlasa.com](mailto:Nina.Morris@mlasa.com)

Third party service providers

We may share your Personal Information with trusted third-party service providers who work on our behalf, such as marketing agencies, market research companies, e-commerce fulfilment partners, software, data hosting and other IT service providers, merchants selling our products, call centres, payment processors, etc. These third-party service providers are required not to use your Personal Information other than to provide the services requested by us or otherwise in accordance with our instructions.

Other trusted third parties

We may also share your Personal Information with other trusted third parties, such as our business partners, advertisers (where we are permitted to do so) and data exchanges, so that we can offer you tailored content, including more relevant advertising for products and services which may be of interest to you. These third parties may set and access their own cookies, web beacons and similar tracking technologies on your device in order to deliver customized content and advertising to you *when you visit our websites*.



Our websites and/or applications may also allow you to log in using a social network or other third-party account. An example of a third-party login is “Log in with Facebook”. Logging into one of our sites with your social network or other third-party account may allow us to gather information that you give us permission to access from that social network or third party. The login feature may also transfer information to the social network or third party, such as your username and password, to authenticate you. The social network or third party may also automatically collect information such as your IP address, information about your browser and device, and the address of the web page you are visiting on our site. The login feature may also place and read cookies from that third party that may contain a unique identifier the social network or other third party assigns to you. The functionality of, and your use of, the login is governed by the privacy policy and terms of the party that provided the login functionality, rather than this Privacy Notice.

Acquisitions

If another company acquires (part of) our company, business, or our assets, that company may acquire all or part of the Personal Information collected by us and will assume the rights and obligations regarding your Personal Information as described in this Privacy Notice. In the unlikely event of an insolvency, bankruptcy or receivership, your Personal Information may also be transferred as a business asset, subject of applicable law.

Disclosures

We may disclose your Personal Information if we believe in good faith that such disclosure is necessary for our legitimate interest or prudent in light of our obligations under applicable law:

- in connection with any legal investigation;
- to comply with relevant laws or to respond to court or authority orders, subpoenas or warrants served on us;
- to protect or defend our rights in legal procedures; or
- to investigate or assist in preventing any violation or potential violation of the law, this Privacy Notice, or any applicable Terms of Use.

6. HOW WE PROTECT YOUR PERSONAL INFORMATION

We value the trust you place in us.

We have implemented appropriate technical and organisational measures to protect your Personal Information against accidental or unlawful destruction, loss, alteration, unauthorised disclosure or access and against all other unlawful forms of processing.



When collecting or transferring Sensitive Personal Information we use a variety of additional security technologies and procedures to help protect your information.

The Personal Information you provide us with is stored on computer systems located in controlled facilities which can only be accessed by a limited number of persons who have a need to know in order to carry out their tasks and any services requested by you.

When we process highly confidential information (such as credit card numbers) over the Internet, we protect it through the use of encryption.

7. YOUR CHOICES REGARDING DIRECT MARKETING.

We may periodically send you free newsletters, surveys, offers, and other promotional materials related to our products and services which we believe are useful for you, if you have consented (opted-in) to receive such messages via e-mail or any other electronic channel (where such opt-in is required under POPI). If you do not wish to receive such communications anymore, you will always have the opportunity to "opt out" by following the unsubscribe instructions provided in each of our direct marketing e-mails or by contacting us directly (please see our contact information at "how to contact us" below). Where permitted under applicable law, we may send you service messages identifying any updates to our Privacy Notice (even where you have opted out of receiving marketing messages from us).

8. YOUR RIGHTS

You have various rights in relation to your Personal Information. In particular, you may have the right to:

- request a copy of Personal Information we hold about you;
- ask that we restrict the way in which we use your Personal Information;
- ask that we update the Personal Information we hold about you, or correct any Personal Information that you think is incorrect or incomplete;
- ask that we delete personal data that we hold about you (the "right to be forgotten");
- withdraw consent at any time for the future to our processing of your Personal Information (to the extent such processing is based on consent);
- object to our processing of your Personal Information (including for direct marketing purposes); or
- request your personal data be transferred to you or another data controller (the "data portability" right).



In addition, in certain circumstances we may process your personal data through automated decision-making, including profiling. This may include segmenting and tailoring the data to enable us to match our communication and products to your perceived needs. In the case we process your Personal Information through automated decision-making, we will inform you about the logic involved, as well as the significance and the envisaged consequences of such processing for you. Depending on your location, you may be able to request not to be subject to automated decision-making, including profiling.

If you would like to exercise these rights or understand if they apply to you, please [click here](#) to complete and submit an online request form. Alternatively, you can get in touch using the details set out at “how to contact us” below.

9. COMPLAINTS

If you are unhappy with the way we have handled your Personal Information or any privacy query or request that you have raised with us, you have a right to complain to the Information Regulator.

10. HOW LONG WE RETAIN YOUR PERSONAL INFORMATION

We will only retain your Personal Information as long as reasonably required for the purposes as set out in this Privacy Notice or otherwise to comply with legal or regulatory requirements applicable to us.

When your Personal Information is processed:

- for the performance of your contract with us, we retain your Personal Information for a period of 7 years following completion of a contractual order;
- for meeting, legal and regulatory requirements, we retain your Personal Information as it is set out by the applicable law; and
- In all other cases, we process your Personal Information, depending on the type, for up to 2 years from the date of our last interaction with you.

11. CHILDREN

Most of our Sites are not directed towards children and we request that children below the age of 16 do not provide Personal Information through our Sites.

If you are the parent or legal guardian of a child under 16 who has registered on one of our Sites, or who you believe has otherwise provided Personal Information to us, please contact us using the details set out at “how to contact us” below to have the information deleted.



Information voluntarily provided by children via e-mails, message boards, chat sessions etc. may be used by other parties to generate unsolicited e-mails. We encourage parents and legal guardians to inform children about how to use the Internet in a safe and responsible manner.

Depending on your location and where permitted by POPI, we may collect information on your children in order to provide you with relevant information about our products and services.

12. TRANSFERS TO OTHER COUNTRIES

Your Personal Information may be transferred to and processed in other countries where laws governing the processing of Personal Information may be less stringent than the laws in your country (including jurisdictions outside the European Economic Area).

In such cases, where required by POPI we will ensure that there are adequate safeguards in place to protect your Personal Information. Depending on the location of the relevant entity exporting the relevant Personal Information, this adequate safeguard might be a data transfer agreement with the recipient based on standard contractual clauses approved by the European Commission. Where we are legally required to do so, further details of these transfers and copies of these agreements are available from us on request.

To the extent required and valid under POPI, you consent to your Personal Information being transferred and processed this way.

13. HOW TO CONTACT US

We welcome your feedback. If you have any comments, questions or complaints regarding this Privacy Notice or our processing of your Personal Information or would like to exercise any of the rights set out at “your rights” above that are applicable in your location, you can contact us by sending an e-mail to Privacy@mlasa.com

14. CHANGES TO THIS PRIVACY NOTICE

This Privacy Notice was updated on 15 May 2021. This document is a notice to you and not a contract between us. We may occasionally modify or amend it from time to time. When we make changes to this Privacy Notice, we will update the revision date at the top of this Privacy Notice. Where those changes are material, we will take steps to let you know. The new modified or amended Privacy Notice will apply from that revision date. Please always verify whether you have consulted the latest version of the Privacy Notice.

For any questions, click here for access to [POPI](#).