

Privacy Policy

At Tennis South Africa NPC we respect your privacy and is committed to protecting your Personal Information. This policy ("Policy") explains how we process personal information and your privacy rights.

It is important that you read this Policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing Personal Information about you so that you are fully aware of how and why we are using your information.

Reference to "Consent" or "your explicit Consent" shall include the ticking of a tick box or when completing and submitting any form, incl. but not limited to the TSA Membership form, Coach Registration form, or Tournament Entry to us, or clicking on the "send message" on the website or sending a reply by email after we have made available our Privacy Policy to you.

1. IMPORTANT INFORMATION AND WHO WE ARE

- a) **Responsible party**
 - i) Tennis South Africa NPC is the Responsible party when engaging with you as a user of the Tennis South Africa website (<https://www.tennissa.co.za/>) and other social media sites ("Sites") or other communication channels or Tennis SA engagements, and responsible for your Personal Information (also referred to as "TSA", "we", "us" or "our" in this Privacy Policy).
- b) **Contact details**
 - i) We have appointed an Information Officer (IO) who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests, please contact the IO using the details set out below.
 - (1) Information Officer: Andre Homan
 - (2) Email address: Andre.homan@tennissa.co.za or info@tennissa.co.za
 - ii) You have the right to make a complaint at any time to the Information Regulator's office (IR), the Republic of South Africa's authority for data protection issues (<https://www.justice.gov.za/inforg/>). **We would, however, appreciate the chance to deal with your concerns before you approach the IR, so please contact us in the first instance.**
- c) **Changes to the Policy and your duty to inform us of changes**
 - i) We keep our Policy under regular review. This version was last updated as per the date in the footer. Archived versions can be obtained by contacting us. Any changes made to our Policy in future will be posted on our website. The new version will apply the moment it is published on our website.
 - ii) It is important that the Personal Information we hold about you is accurate and current. Please keep us informed if your Personal Information changes during your relationship with us.
- d) **Third party links:** Our Sites may include links to Third party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow Third parties to collect or share data about you. If you disclose your Personal Information to a Third party, such as an entity which operates a website linked to this website or our social media sites, **WE WILL NOT BE LIABLE FOR ANY LOSS OR DAMAGE, HOWSOEVER ARISING, SUFFERED BY YOU AS A RESULT OF THE DISCLOSURE OF SUCH INFORMATION TO THE THIRD PARTY.** This is because we do not regulate or control how that Third party uses your Personal Information. You should always ensure that you read the privacy policy of any Third party. When you leave our website, we encourage you to read the privacy policy of every website you visit.

2. THE DATA WE COLLECT ABOUT YOU

- a) Personal Information means the information as per the Definitions. Personal Information does not include data where the identity of the data subject has been removed (anonymous data).
- b) We may process different kinds of Personal Information about you when we engage with you, which we have grouped together as follows:
 - i) **Identity Data** includes first name, last name or similar identifier, title, date of birth, gender, cultural background and language.
 - ii) **Contact Data** includes physical address, email address, social media details and telephone numbers.
 - iii) **Children Data:** Personal Information about a Child.
 - iv) **Educational Data:** accreditations, qualifications and training.
 - v) **Financial Data** includes payment card details.
 - vi) **Special Personal Information** includes religious, race and ethnic origin, biometric and health information (incl. disability).
 - vii) **Medical Information** includes medical condition or disability, medication, doctor details, medical aid and emergency contact details.
 - viii) **Tennis Specific Data:** evaluations and assessments of players and matches, tennis level of competition and achievements.
 - ix) **Transaction Data** includes details about payments/ donations from you and other details of services you have acquired from us or accessed on our website.
 - x) **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.

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- xi) **Usage Data** includes information about how you use our website and services. This information shall include the full Uniform Resource Locators (URL) Clickstream to, through and from our website (including the date and time) and the services you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs) and methods used to browse away from the page and any phone number used to call us.
- xii) **Marketing and Communications Data** includes your preferences in receiving marketing from us and our Third parties and your communication preferences.
- c) We also collect, use and share aggregated data and pattern data such as (but not limited to) statistical or demographic data for any purpose ("Statistical Data). Statistical Data could be derived from your Personal Information but is not considered Personal Information in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Statistical Data with your Personal Information so that it can directly or indirectly identify you, we treat the combined data as Personal Information which will be used in accordance with this privacy policy.
- d) **Special Personal Information:** we will Process your Special Personal Information subject to your Consent.
- e) **Children Information (Children Data):** we will Process Personal Information of Children subject to Consent from a Competent Person, ii) necessary for the establishment, exercise or defence of a right or obligation in law and iii) in emergencies (after we have tried to contact the Competent Person) for e.g. a medical emergency, from a responsible person associated with the Child or from the Child directly.
- f) **Submission of Personal Information on behalf of another:** If you provide information on behalf of someone else (i.e. your child, student or spouse/ partner), then it is your responsibility to obtain the necessary consent from the person/ user (or the parent/ guardian in the case of a child or student) before making the Personal Information available to us. On receipt of Personal Information, we assume that the necessary consent has been obtained and will process the Personal Information as per your instructions. By submitting such Personal Information on behalf of another person/ user, you indemnify us against any Third party claim, where such Third party claim relates to Personal Information that has been processed without the necessary consent or other available exception allowed by law.
- g) **If you fail to provide Personal Information:** Where we need to collect Personal Information by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services (including services for no charge)). In this case, we may have to cancel a service you have with us, but we will notify you if this is the case at the time.
- h) **We do not process information of children, unless a parent or guardian or a coach (that has obtained the consent of the parent(s)/ guardian) provides us with the information as part of the instruction to provide services as they relate to a TSA tennis event or tournament into which they were entered or a training/ coaching programme they will attend.**
- i) **We process children information primarily by collecting directly from a parent or guardian, but we may process the personal information of a child without the necessary consent or knowledge of the consenting party in the case of a medical emergency.**

3. HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We use different methods to collect data from and about you including through:

- a) **Direct interactions.** You may directly provide us or a TSA Member with your or your Child (where you are the Competent Person) Personal Information when you: -
 - i) apply for any of the services of TSA (i.e. as a tennis player or TSA Member, a TSA Affiliate Member or an Associate Member or TSA Coaching Member);
 - ii) elect to receive TSA newsletters or other information;
 - iii) engage with us via Zoom, Skype or any other Video conferencing facility;
 - iv) access any of our facilities/ offices/ premises/ tournament or event venue;
 - v) completion of a COVID19 questionnaire;
 - vi) completion of TSA indemnity forms;
 - vii) attend any of our tennis events, activities or tournaments;
 - viii) purchase an entrance ticket to a TSA tennis event or tournament;
 - ix) purchase merchandise from TSA;
 - x) complete an employment application form;
 - xi) enter a competition or promotion conducted by TSA or a TSA Member/ Affiliate/ Associate;
 - xii) give us feedback or fill out a survey; or
 - xiii) contact us via email, telephone, WhatsApp or our Sites.
- b) **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment/ devices, browsing actions and patterns. We collect this Personal Information by using cookies (see clause 4 below), server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.

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- c) **Third parties or publicly available sources.** We will receive Personal Information about you from various Third parties and public sources as set out below:
- i) Technical Data from the following parties:
 - (1) analytics providers such as Google ("How Google uses information from sites or apps that use our services", (located at <https://policies.google.com/technologies/partner-sites>);
 - (2) advertising networks; and
 - (3) search information providers.
 - ii) Contact, financial and transaction data from providers of technical and payment services.
 - iii) Identity and Contact data from publicly available sources such as CIPC.

4. COOKIES

See our Cookies Policy.

5. HOW WE USE YOUR PERSONAL INFORMATION

- a) We will not sell your Personal Information. We will only use your Personal Information within the framework of the law. Most commonly, we will use your Personal Information in the following circumstances:
- i) where you have given us your consent; or
 - ii) where we need to perform the contract we are about to enter into or have entered into with you; or
 - iii) where it is necessary for the protection of the Data subject's legitimate interest; or
 - iv) where it is necessary for our legitimate interests (or those of a Third party) and your interests and fundamental rights do not override those interests; or
 - v) where we need to comply with a legal obligation.
- b) Generally, we do not rely on consent only as a legal basis for processing your Personal Information although we will get your consent before sending Third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.
- c) **Purposes for which we will use your Personal Information**
- i) We have set out below, in a table format, a description of all the ways we plan to use your Personal Information, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.
 - ii) Note that we may process your Personal Information for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your Personal Information where more than one ground has been set out in the table below.
 - iii) How we use your Personal Information depends on whether you interact with us as a TSA Member, a player, a coach, an official, a volunteer, a tennis event ticket buyer or other customer, as a user of our website (www.tennis.co.za) or in some other way.
 - iv) We have a good faith belief that access, use, preservation or disclosure of such information is reasonably necessary to:
 - (1) satisfy any applicable law, regulation, legal process or enforceable government request;
 - (2) enforce applicable terms of use, including investigation of potential violations thereof;
 - (3) detect, prevent, or otherwise address fraud, security or technical issues; or
 - (4) protect against imminent harm to the rights, property or safety of TSA, its members or the public as required or permitted by law.

Purpose/ Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To sign you up for our newsletter (if any) where you are not a member or registered coach yet To sign you up for our newsletter (as TSA Member or registered coach)	(a) Identity, (b) Contact, (c) Technical	Your consent As allowed under the POPIA
To register you or your child/children as:- (a) Tennis Player; (b) TSA Member; (c) Participant in a TSA tournament, activity or event (d) TSA Coaching Member (no Children), (e) Volunteer	(a) Identity, (b) Contact, (c) Children Data, (d) Financial, (e) Special Information Personal	(a) Your consent (b) Performance of a contract with you (c) Necessary for our legitimate interests (to provide special support)
(a) Comply with health and safety legislation (b) Carrying our criminal records checks on coaches, officials and volunteers (where relevant) or safeguarding purposes	(a) Identity (b) Contact (c) Special Information Personal	(a) Necessary to comply with a legal obligation (b) Necessary for our legitimate interests and the interest of other TSA members
To receive TSA communications as TSA member or registered coach or Volunteer	(c) Identity (d) Contact	(a) Existing 'customer' (as per POPIA) of TSA (b) Consent (c) Performance of Contract

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To provide services associated with Members, Affiliated Members, Associated members, Club Members and Coaching Members and users of our Sites	(a) Identity (b) Contact (c) Financial (d) Usage Data	Performance of a contract with you (including the browse-wrap agreement (Terms of Use of our website))
(a) Organise competitions and events (b) Process and publish results (c) Process ratings and ratings data from competitions (d) Market and sell TSA goods and services	(a) Identity (b) Contact (c) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests
(a) To ensure security at TSA events and premises	(a) Identity (b) Specific Personal Information	Necessary for our legitimate interests and other third parties
(a) Establishment, exercise of legal claims against the TSA (b) Provision of medical care	(a) Identity (b) Contact (c) Special Personal Information	(a) Consent (b) Performance of contract
(c) Provide the services or goods (i.e. tickets) (d) Manage payments, fees and charges (e) Collect and recover money owed to us	(f) Identity (g) Contact (h) Financial (i) Special Personal Information (j) Marketing and Communications	(k) Performance of a contract with you (l) Necessary for our legitimate interests (to recover debts due to us)
To manage your relationship as a customer with TSA, Affiliate Members and Associate Members: (a) Notifying you about changes to our terms or Privacy Policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our services)
To manage our relationship with relevant sporting bodies, such as: (a) ITF (b) WTA (c) ATP (d) SASCOC	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of contract (b) Necessary for our legitimate interests (c) Necessary to comply with a legal obligation
To organise medical treatment for you	(a) Identity (b) Contact (c) Special Personal Information	(a) Consent (b) Performance of a contract with you (c) Necessary for legitimate interests of the data subject
To follow our COVID19 protocol and determine whether you can be allowed on to our premises	(d) Identity (e) Contact (f) Special Personal Information	(a) Consent (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests and the interest of other persons on the premises (d) Required by law
To enable you to partake in a prize draw, competition, promotion or complete a survey (where available)	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/ services, to develop them and grow our business)
To administer and protect our business and the interest of its members	(a) Identity (b) Contact (c) Technical (d) Special Personal Information (i.e. CCTV)	(a) Necessary for our legitimate interests and the legitimate interest of other third parties (b) Necessary to comply with a legal obligation

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To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, services, marketing, customer relationships and experience	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about services that may be of interest to you, i.e. tennis or tennis related merchandise, tournaments, events, activities and opportunities	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	(a) Existing customer: customer as per POPIA (b) Potential customer: Consent

- d) **Marketing:** We strive to provide you with choices regarding certain Personal Information uses, particularly around marketing and advertising.
- i) **Promotional offers from us**
- (1) As a TSA member or registered coach:
 - (a) When you acquired any of our services or make use of our website (browse wrap agreement) we will deal with you as a customer under POPIA.
 - (b) We will use your identity and contact information to submit to you information/ material of our other services that are related and that we feel may be of interest to you.
 - (c) Important: you may ask us on submission of your identity and contact information not to send you the above-mentioned information. At any time, subsequent to our initial engagement, you can make use of the opting out options under par. 5iii) below;
 - (2) Not a member or registered coach of TSA yet:
 - (a) We may collect through one of our personnel members or through our mailing system, your email address; however
 - (b) Before we use same for any direct marketing purposes, we will ask you for consent (opt-in) prior to sending you direct marketing material.
- ii) **Third party marketing**
- (1) We will get your express opt-in consent before we share your Personal Information with any Third party for marketing purposes.
 - (2) **TAKE NOTE:** We may provide (without your consent) Third party marketing parties/ advertisers with anonymous aggregate information about our users (for example, we may inform them that 500 men aged under 30 have clicked on a specific product or advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in Gauteng). We may make use of the Personal Information we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience. **IMPORTANT: We do not disclose information about identifiable individuals to our advertisers.**
- iii) **Opting out**
- (1) You can ask us or Third parties to stop sending you marketing messages at any time by using their unsubscribe function (if available) on direct marketing communications or by contacting us at info@tennissa.co.za and requesting to opt-out of our marketing services.
 - (2) Where you opt out of receiving these marketing communications, this will not apply to Personal Information provided to us as a result of services requested, service experience or other transactions.
- e) **Change of purpose**
- i) We will only use your Personal Information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.
 - ii) If we need to use your Personal Information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
 - iii) Please note that we may process your Personal Information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6. DISCLOSURES OF YOUR PERSONAL INFORMATION

- a) TSA only share Personal Information with other companies or individuals outside of TSA in the following circumstances:
- i) We have your consent;

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- ii) **Internal Third parties** as set out in the *Definitions*. Where we share your Personal Information to employees, affiliates/ associates in the TSA organisation. We ensure your Personal Information is protected by requiring all internal parties to follow this Policy or such similar policy when processing your Personal Information.
- iii) **External Third parties** as set out in the *Definitions* and to those external parties as per your instructions.
 - (1) We require all Third parties to respect the security of the Personal Information we make available to them and to treat it in accordance with the law. We require that these parties agree to process such information based on our instructions and in compliance with this Privacy Policy and any other appropriate confidentiality and security measures.
 - (2) We do not allow our Third-party service providers to Process Personal Information for their own purposes and only permit them to process your Personal Information for specified purposes
 - (3) Also see clause 13 in terms of sub-contractors.

7. INTERNATIONAL TRANSFERS

- a) Some of our External Third-parties may be based outside the Republic so their processing of your Personal Information could involve a transfer of data outside South Africa.
- b) Whenever we transfer your Personal Information out of the country, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
 - i) TSA enters into written contracts with Third party service providers that contain terms substantially the same as those set out in this Privacy Policy, in particular, in relation to requiring appropriate technical and organisational data security measures and relating to the further transfer of Personal Information from the Third party recipient to Third parties who are in a foreign country.
 - ii) Processing of Personal Information takes place in a territory which is subject to Data Protection Laws similar to our Data Protection Legislation and that the territory provides adequate protection for the privacy rights of individuals.
 - iii) Confirming that the necessary pre-authorisation from the information Regulator (only where said pre-authorisation is required by the Data Protection Legislation), has been obtained by the Responsible party, i.e. section 57 of POPIA.
- c) By adhering to the principles set by POPIA, we ensure compliance with GDPR, which has comparable requirements for the processing of Personal Information. GDPR principles are applicable to entities that process the Personal Information of European citizens.
- d) By submitting your Personal Information to us you consent to the transfer of your Personal Information outside the borders of South Africa (when required).

8. DATA SECURITY

- a) We have put in place appropriate technological and organisational measures to prevent your Personal Information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your Personal Information to those TSA Personnel, agents, contractors and other Third parties who have a business need to know. They will only process your Personal Information on our instructions, are subject to a duty of confidentiality.
- b) Where required by law we will notify you and any applicable regulator of a breach where we are legally required to do so.
- c) Where we act as Operator, the Responsible party must ensure that it has implemented appropriate technical and organisational measures against unauthorised or unlawful processing, access, disclosure, copying, modification, storage, reproduction, display or distribution of Personal Information. Other than securing the Personal Information on collection of same from the Responsible party via the TSA services, TSA shall not be responsible for any other Responsible party's security safeguard obligations.

9. DATA RETENTION

How long will you use my Personal Information for?

- a) We will only retain your Personal Information for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal or regulatory requirements and TSA reasonable business requirements.
- b) To determine the appropriate retention period for Personal Information, we consider the amount, nature and sensitivity of the Personal Information, the potential risk of harm from unauthorised use or disclosure of your Personal Information, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means, and the applicable legal, regulatory or other requirements.
- c) In some circumstances you can ask us to delete your data: see YOUR LEGAL RIGHTS below for further information.
- d) In some circumstances we will anonymise your Personal Information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.
- e) On expiry of the relevant retention period, your Personal Information will be deleted, suppressed or anonymised, as applicable, save that we will retain comprehensive details of player rankings, ratings and results for archiving purposes in the public interest, or historical or statistical purposes, bearing in mind TSA's role as the national governing body for South African tennis.

10. RECORDS

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We will keep detailed, accurate and up-to-date written records regarding any processing of Personal Information we carry out, including but not limited to, the access, control and security of the Personal Information and approved subcontractors, the processing purposes, categories of processing, any possible transfers of Personal Information to a Third party country and related safeguards, the instructions as received from our customers and a general description of the technical and organisational security measures and retention and destruction of Personal Information.

11. SOCIAL MEDIA

- a) Our website may, in certain circumstances, provide you with social plug-ins from various social media networks. If you choose to interact with a social network such as [Facebook](#), [Twitter](#), [YouTube](#) or [Instagram](#) (for example by registering an account), your activity on our websites will also be made available to that social network. This is necessary for the performance of your contract with us, which allows you to interact with a social network. If you are logged in on one of these social networks during your visit to one of our websites or are interacting with one of the social plug-ins, the social network might add this information to your respective profile on this network based on your privacy settings. If you would like to prevent this type of information transfer, please log out of your social network account before you enter one of our websites, or change the necessary privacy settings, where possible.
- b) Communication, engagement and actions taken through external social media networks that we participate in are custom to the terms and conditions as well as the privacy policies held with each social media platform respectively.
- c) You are advised to use social media networks wisely and communicate/ engage with them with due care and caution in regard to their own privacy policies (if any). **PLEASE NOTE: WE WILL NEVER ASK FOR PERSONAL OR SENSITIVE INFORMATION THROUGH SOCIAL MEDIA NETWORKS AND ENCOURAGE USERS, WISHING TO DISCUSS SENSITIVE DETAILS OR TO RESOLVE ISSUES/ CONCERNS, TO CONTACT US THROUGH PRIMARY COMMUNICATION CHANNELS SUCH AS BY TELEPHONE OR EMAIL.**
- d) Our social media network page(s) may share web links to relevant web pages. By default some social media platforms shorten lengthy URL's. You are advised to exercise caution and due care before clicking on any shortened URL's published on social media platforms by this website. Despite our best efforts to ensure that only genuine URL's are published many social media platforms are prone to spam and hacking and therefore our website and its owners cannot be held liable for any damages or implications caused by visiting any shortened links.

12. YOUR LEGAL RIGHTS

- a) Under certain circumstances, you have the following rights under data protection laws in relation to your Personal Information:
 - i) **Request access** to Personal Information (commonly known as a "data subject access request"). There may be a fee associated with this request – see below. This enables you to receive a copy of the Personal Information we may hold about you and that you are entitled to obtain and to verify whether we are lawfully Processing it. See the TSA Promotion of Access to Information Manual ("PAIA Manual").
 - ii) **Request correction** of Personal Information. This enables you to have any incomplete or inaccurate data we may hold about you corrected, though we may need to verify the accuracy of the new data you provided to us.
 - iii) **Request erasure** of your Personal Information. This enables you to ask us to delete or remove Personal Information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your Personal Information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your Personal Information to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
 - iv) **Object to Processing** of your Personal Information where we are relying on a legitimate interest (or those of a Third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
 - v) **Withdraw consent** at any time where we are relying on consent to process your Personal Information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.
- b) If you wish to exercise any of the rights set out above, please contact our Information Officer at the details mentioned b) above.
- c) **Fee required:** Apart from the prescribed fees under PAIA, you will not have to pay a fee to access your Personal Information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.
- d) **What we may need from you:** We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Information (or to exercise any of your other rights). This is a security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

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- e) **Time limit to respond:** We try to respond to all legitimate requests within 30 (thirty) days. Occasionally it could take us longer than 30 (thirty) days if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

13. SUBCONTRACTORS

- a) We may authorise a Third party (subcontractor) to process the Personal Information on our behalf. Where we use sub-contractors, we will:
- i) enter into a written contract with the subcontractor that contains terms substantially the same as those set out in this Privacy Policy, in particular, in relation to requiring appropriate technical and organisational data security measures; and
 - ii) maintain control over all Personal Information we entrust to the subcontractor.
- b) We agree to select subcontractors carefully according to their suitability and reliability.
- c) A subcontractor within the meaning of this Privacy Policy shall not exist if we commission Third parties with additional services, that are not an essential part of this Privacy Policy.
- d) Where the subcontractor fails to fulfil its obligations under such written agreement, we remain fully liable to you for the subcontractor's performance of its agreement obligations.
- e) The parties consider TSA to control any Personal Information controlled by or in the possession of its subcontractors.
- f) We undertake to ensure that all subcontractors who process Personal Information of Data subjects shall not amend, modify, merge or combine such Personal Information and process same as per our instructions.

14. DEFINITIONS

- a) **Child** shall mean any person under the age of eighteen (18) years;
- b) **Consent** means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information.
- c) **Customer** means a Data Subject who is a TSA Member, Participant, TSA Personnel member, a Coach, a volunteer or a ticket buyer at the entrance of a TSA tennis event:
- i) if TSA has obtained the contact details of the Data subject in the context of the provision of services;
 - ii) for the purposes of direct marketing of TSA's own services;
 - iii) if the Data subject has been given a reasonable opportunity to object free of charge and in a manner free from unnecessary formality, to such use of his, her or its electronic details-
 - (1) at the time when the information was collected; and
 - (2) on the occasion of each communication with the Data subject for the purpose of marketing if the Data subject has not initially refused such use.
- d) **Data Subject** means the person to whom Personal Information relates and, in this document, refers to you, as the party providing Personal Information that will be processed by TSA or a relevant Third party.
- e) **GDPR** means the General Data Protection Regulation of the European Union.
- f) **Legitimate Interest** means the interest of our organisation in conducting and managing our affairs to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your Personal Information for our legitimate interests. We do not use your Personal Information for activities where our interests override the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us. Examples of legitimate TSA interest:- organise competitions and events, to process and publish results, to process ratings and rankings data from competitions; market TSA's products and services (including tickets, performance and participation programmes, coaching courses and events), and promote tennis across South Africa generally; ensure the security of TSA events and premises, including by recording individuals' photographs as part of event accreditation processes and capturing individuals' images using CCTV monitoring; operate a customer services team, conduct surveys and seek advice from advisers with the aim of improving TSA and South African tennis as a whole; keep appropriate records of coaches, officials and volunteers; administer TSA's performance programme (for example, monitor player progress or make player selection decisions); structure TSA offices in Centurion, storing most Personal Information centrally and making use of certain software and/or cloud storage providers for the purposes of efficient, fast and secure access to Personal Information; and research and statistical analysis (for example into volunteering practices and patterns).
- g) **Officiating Member** means the same as that ascribed to it in the TSA MOI.
- h) **Operator** means a person who processes Personal Information for a Responsible party in terms of a contract or mandate, without coming under the direct authority of the party.
- i) **PAIA** means the [Promotion of Access to Information Act](#), Act 2 of 2000.
- j) **Performance of contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Privacy Policy

- k) **Personal Information** means information as defined under POPIA.
- l) **POPIA** means the [Protection of Personal Information Act](#), Act 4 of 2013.
- m) **Responsible party** means a public or private body or any other person which, alone or in conjunction with others (**Joint Responsible party**) determines the purpose of and means for processing Personal Information.
- n) **Special Personal Information** means information as defined under section 26 of POPIA (this includes details about race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and biometric information or criminal convictions and offences).
- o) **TSA Member** means the registered member of TSA, as defined in the TSA MOI, and includes a TSA Affiliate Member and Associate Member.
- p) **TSA MOI** means the TSA Memorandum of Incorporation as amended from time to time.
- q) **TSA Personnel** means any person employed or appointed by or contracted to and representing TSA and/ or an Affiliate Member and/ or Associate Member, in an official capacity, including an Officiating Member.
- r) **THIRD PARTIES**
 - i) **Internal Third parties:** Other division of TSA (if any), acting as Joint Responsible parties or Operators and who are based in South Africa and who may also provide IT and system administration services and undertake leadership reporting.
 - ii) **External Third parties:**
 - (1) Other tennis associations or relevant sporting bodies as communicated from time to time with you;
 - (2) Joint Responsible parties based outside the borders of South Africa.
 - (3) Third parties as instructed by you under your engagement with TSA,
 - (4) South African Revenue Service.
 - (5) Service providers and administrators who assist TSA in the provision and administration of IT services, medical services, catering, accommodation and the like
 - (6) Professional advisers acting as Operators or Joint Responsible parties, including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
 - (7) Regulators and other authorities acting as Operators, Joint Responsible parties who require reporting of processing activities in certain circumstances. These parties may be based in the Republic of South Africa or abroad.
 - (8) Court of law or any other authority where we have an obligation under law to share your Personal Information.

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