

THE SOUTH AFRICAN MOBILE DEVICES DISTRIBUTORS AND REPAIRERS' ASSOCIATION -SAMDDRA-

MEMBERS CODE OF CONDUCT AND ETHICS.

OCTOBER 2023
VERSION 1.1

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1. Goal of this Code of Conduct and Ethics.

- 1.1. The goal of this Code of Conduct and Ethics of the South African Mobile Devices Distributors and Repairers Association's (SAMDDRA) is to streamline the behavior of SAMDDRA members for customers, peers and public interest based on integrity, fairness, honesty, trustworthiness, respect, openness and transparency. This is to align with SAMDDRA's constitution and membership scheme's rules.
- 1.2. SAMDDRA and its Members subscribe to the Consumer Protection Act (No 68, 2008) of the Republic of South Africa and the principles thereof namely:
- The Consumer's right to choose.
 - The Consumer's right to privacy.
 - The right to fair and honest dealing.
 - The right to the disclosure of information.
 - The right to fair and responsible marketing.
 - The right of equality in the consumer market.
 - The right to fair, just, responsible, and transparent terms and conditions.
- 1.3. SAMDDRA Members are committed to service excellence and therefore give the customer the right to address complaints via an independent complaint procedure aimed at resolving consumer complaints and disputes.

2. Interpretation.

- 2.1. Each SAMDDRA member (Including members of the board) will adhere to this Code of Conduct, insofar as the sections that are relevant and applicable to products and services provided by that member.
- 2.2. This code applies to products and services offered by SAMDDRA's members in the mobile industry and electronic waste, among others. In cases where a division of a company applies for SAMDDRA membership then this code is binding only to products and services offered by that division.

3. Accepted conduct.

A members shall at all times:

- 3.1. Promote the importance of the mobile industry and electronic waste, professionals, skills, and training as well as safeguarding the dignity and reputation of this trade.
- 3.2. Promote the importance of maintaining the standards and quality of mobile industry and electronic waste products, components and expertise as prescribed by SAMDDRA through its adopted professional, regulatory, or operational standards.

- 3.3. Conduct themselves and their businesses in a manner which shall be seen by those they serve as being honourable, transparent, and fair, especially with regard to such guarantees or warranties on products or services that they offer.
- 3.4. Apply the basic principles of free enterprise within the operation criteria of one's own business, whilst at the same time respecting the operating criteria of other disciplines making up the mobile industry, electronic waste, and related activities.
- 3.5. Appreciate that in order for a member to expand or move into another membership type, he would have to comply with all the requirements of that membership level of SAMDDRA into which they intend moving.
- 3.6. Only sell, distribute, or install SAMDDRA recommended or similar approved products or in the absence of such a specification in this regard, the product shall at least have been tested by the SABS.
- 3.7. Also understand that if imported goods are to be used, the SAMDDRA professional member shall at least make sure that the product has been tested by SABS and issued with the relevant certificate.
- 3.8. Voluntarily register with SAMDDRA on an annual basis and pay annual fees in accordance with the registered membership category, as approved by the board or the membership committee of SAMDDRA.
- 3.9. Always safeguard the public interest concerning health and safety by promoting to consumers that one should only use SABS approved products, and that they are required to be acquired from or installed by a qualified professional.
- 3.10. Observe that in promoting mobile industry, electronic waste and related products and services through the media, that all such advertisements be an honest interpretation of products or services according to the guidelines laid down by the advertising standards authority.
- 3.11. Be available at all times to attend a SAMDDRA disciplinary hearing in the event of a complaint being lodged against a members' product or service or irregular business practice.

4. Freedom of expression.

- 4.1. SAMDDRA members must respect the constitutional right to freedom of speech and expression of everyone.

5. Privacy and confidentiality.

- 5.1. SAMDDRA members must respect the constitutional right of customers to personal privacy and privacy of communications.
- 5.2. SAMDDRA members must respect the confidentiality of customers' personal information and electronic communications. SAMDDRA members must only gather or retain customer information as permitted by law and must not sell or distribute such information to any other party without the written consent of the customer, except where required to do so by law.

6. Consumer protection and provision of information to customers.

- 6.1. SAMDDRA members must provide the following information on their web sites and relevant public displays: their SAMDDRA membership number, their registered name, email address, telephone and fax numbers and physical address for each accredited operational site including either a home, kiosk, shop or branch.
- 6.2. SAMDDRA members must inform their customers that members of the SAMDDRA professional body must uphold and abide by this Code of Conduct and Ethics. Members' company web sites must include a reference to SAMDDRA membership, a prominent copy of SAMDDRA's logo and a link to the section of the SAMDDRA website that contains the Code of Conduct and Ethics. and the complaints procedure.
- 6.3. SAMDDRA members must have policies for acceptable or fair transactions for their products and services. This policy must be read orally then signed or made available to customers prior to the commencement of any sale or service agreement and at any time thereafter, on request.
- 6.4. In their dealings with consumers, other businesses, each other and SAMDDRA, SAMDDRA members must act fairly, reasonably, professionally and in good faith. In particular, pricing and other material information about products and services must be clearly and accurately conveyed to customers and potential customers.
- 6.5. SAMDDRA members may only offer service levels which are recognised and reasonably within their administrative, technical, or practical abilities.
- 6.6. SAMDDRA members must comply with all compulsory advertising standards and regulations of the Republic of South Africa.

7. Terms and conditions

- 7.1. SAMDDRA members must make available to customers (and potential customers) any applicable terms and conditions prior to the commencement of any contract. Terms and conditions must include all information and terms relevant to the relationship with the recipient of products or services.
- 7.2. Terms and conditions must give the SAMDDRA member the right to refuse, suspend or terminate the sale or service of any customer that does not comply with the terms and conditions or any other contractual obligations.

8. Cybercrime.

- 8.1. SAMDDRA members must take all reasonable measures to prevent unauthorised access to, interception of, or interference with any data on customer's equipment or products under their care and control.

9. Protection of minors and vulnerable persons.

- 9.1. SAMDDRA members must take reasonable steps to ensure that they do not offer any paid services to minors without written permission from a parent or guardian.
- 9.2. SAMDDRA members must provide products or services to customers with information about relevant procedures.

10. Lawful conduct.

- 10.1. SAMDDRA members must conduct themselves lawfully at all times and must co-operate with law enforcement authorities within the applicable legal framework.
- 10.2. SAMDDRA members must respect intellectual property rights and not knowingly infringe on such rights.
- 10.3. SAMDDRA members must uphold and abide by this Code of Conduct and Ethics. and adhere to the associated complaints and disciplinary procedures.

11. Unlawful content and activity.

- 11.1. There is no general obligation on any SAMDDRA member to monitor products or services provided to customers, but a member is obliged to take appropriate action where it becomes aware of any unlawful content or conduct harmful to the public or the Republic of South Africa.
- 11.2. SAMDDRA members must not knowingly host or provide unlawful products and services as required by the laws of the Republic of South Africa.
- 11.3. If an SAMDDRA member becomes aware of products or services which have been determined to be illegal, it must suspend or terminate the relevant customer's

transaction and report the conduct or content to the relevant law enforcement authority. The SAMDDRA member must report such cases and any action taken to SAMDDRA within seven (7) working days from the day of the occurrence.

12. Voluntary codes of best practice

- 12.1. SAMDDRA publishes a number of voluntary codes of practice and best practice documents. SAMDDRA members are not obliged to comply with these additional codes. If a member has indicated that they are voluntarily complying with any additional codes, then they are required to do so as an extension of this Code of Conduct and Ethics.

13. Compliance with the Code of Conduct and Ethics.

- 13.1. SAMDDRA members must receive and investigate complaints made in accordance with this Code of Conduct and Ethics. and any additional codes of practice or best practices a member has voluntarily complied with, unless such complaints are frivolous, unreasonable, vexatious or in bad faith.
- 13.2. SAMDDRA members must make all reasonable efforts to resolve complaints in accordance with the complaint's procedure.
- 13.3. SAMDDRA members must co-operate with SAMDDRA in accordance with the complaints and disciplinary procedures and comply with any decisions taken by SAMDDRA with respect to the Code of Conduct and Ethics and complaint and disciplinary procedures.
- 13.4. SAMDDRA members must submit an annual statement to SAMDDRA confirming their compliance with this Code of Conduct and Ethics.
- 13.5. SAMDDRA members accept that SAMDDRA has an obligation to audit member compliance on an annual basis and perform regular compliance spot checks and must co-operate with SAMDDRA during such audits or spot checks.
- 13.6. SAMDDRA may investigate the conduct and compliance with the Code of Conduct and Ethics by members on its own initiative and may, if appropriate, institute disciplinary proceedings as set out in the Code of Conduct and Ethics complaint and disciplinary procedure.
- 13.7. SAMDDRA's executive management team has the authority to suspend or cancel the membership of those members who infringe the SAMDDRA's Code of Conduct and Ethics.

14. Alterations

14.1. SAMDDRA reserves the right to make alterations to this Code of Conduct and Ethics from time to time. Such amendments are binding on all SAMDDRA members. The current Code of Conduct and Ethics will be maintained on SAMDDRA's website.

Code of Conduct and Ethics Version	Effective Date
1.0	1 st March 2023
1.1	30 October 2023

Signed by the Chairperson of the Board

Name : Loyiso Tyira

Signature :  Digitally signed by Loyiso Tyira
DN: cn=Loyiso Tyira,
o=Tyira Enterprises,
ou=Executive,
email=loyiso@tyira.co.za,
c=ZA
Date: 2024.09.12 12:36:33 +02'00'