
ACC DOCKET

INFORMED. INDISPENSABLE. IN-HOUSE.

Standing Up for Data Protection and Personal Security

Interviews and Profiles





Amenda Makhetha

GROUP DATA PROTECTION & COMPLIANCE MANAGER

MIX TELEMATICS

JOHANNESBURG, SOUTH AFRICA

Amenda Makhetha is the group data privacy and compliance manager of MiX Telematics, a leading global provider of fleet and mobile asset management solutions. “Basically, I help ensure that the organization understands and complies with data protection legislation across different regions and across different countries, and to ensure the lawful exchange of information across the various subsidiary companies,” she explains. She is currently heading up the company’s efforts to be compliant with the European General Data Protection Regulation, which will come into effect next year. She is based in Johannesburg, South Africa, which has a similar data regime as Europe. New legislation, called the Protection of Personal Information Act, will establish similar protocols for South African data transfer. Makhetha is adept at navigating the cross-border regulations.

As an in-house lawyer, she is keenly aware of the risks that the company faces. The first is a straightforward violation of laws like the European General Data Protection Regulation, which could result in fines of €20 million or four percent of a company’s annual turnover. There are few companies that could absorb a fine of that magnitude and continue to function.

The second threat is from a reputational standpoint. “Imagine if someone infiltrated our organization and this person was involved in a crime syndicate or illegal activity,” she says. “They’d potentially be able to identify the whereabouts of our customers’ vehicles, which could have significant consequences for our customers.” Data security, and the people who manage it, are key to MiX Telematics’ service offering. Makhetha went through a stringent recruitment process that included numerous interviews and even a polygraph test before being hired. That’s how seriously the

company takes its data security and the integrity of their staff.

MiX's customers include corporate and private fleets, including people like Makhetha, who herself is a customer of MiX Telematics for her own vehicles.

The legal team, comprised of her and the general counsel, focus on compliance, local and international operational and regulatory issues, and transactional contracting, with the assistance of external counsel where required.

Makhetha still helps the disadvantaged. She sits on the board of the Gugu Dlamini Foundation, which was founded by the daughter of the late Gugu Dlamini, an AIDS activist from KwaMancinza, a town in eastern KwaZulu-Natal province, who was stoned and stabbed to death after she had admitted on a radio station on World AIDS Day that she was HIV positive. KwaMancinza is just outside KwaMashu, a township 32 kilometers north of Durban.

She is also the youngest board member of KZN Financial Literacy Association, a non-profit organization that was established to serve as a focal point in enhancing financial literacy awareness and contribute significantly towards changing behavior through educating and empowering consumers, particularly the disadvantaged, to make better informed quality financial decisions.

The road to Johannesburg

Vehicles aren't the only things that move from Durban to Johannesburg. Makhetha did as well. She grew up in the coastal city. The year-round warmth and beaches make it a tourist attraction while retaining a homely, small town feel, especially when compared to the fast-paced, big city environment of Johannesburg.

Her father was also in the travel business — he owned a fleet of taxis — that provided the family with a better life than most of her neighbors. “Back in those days, most black families were not well educated or in professions,” she reflects, alluding to the apartheid era of South African history that ended in 1991.

When Makhetha was in grade four, she knew she wanted to be a lawyer. “If I felt someone was being shunned or was not speaking up for themselves, I'd be that person to stand up and speak on their behalf, I've always been a voice for others, even in my family” she remembers. It quickly led into a desire to advocate for families and women in particular.

Throughout her education, she worked toward her goal. In South Africa, students choose their subjects based on their career path by the ninth grade and study subjects that focus on that career trajectory. In grade 11, students apply to universities to earn a degree in their chosen field.

After Makhetha earned her bachelor in law (LLB), she joined Legal Aid South Africa. The organization provides legal services for those who cannot afford it. She benefited by providing a wide array of legal services to the disadvantaged. The job was morally fulfilling but after being exposed to commercial law post articles, something clicked. “I found that I actually enjoyed it more than I enjoyed public interest law,” she says, adding, “I was actually quite good at it, especially compliance.”

She liked that it's a developing field and that countries need to harmonize their approaches so businesses can work globally. The constant changes and the chance to grow and specialize in data

privacy secured her interest.

She remains vigilant about security — whether it's data security or personal security. And she's always ready to stand up for it.

Getting to know... Amenda Makhetha

Are you reading any novels right now that you find interesting?

Yes, actually. There is one book that I'm reading right now. I'm reading *Unstoppable* by Nick Vujicic. I'm also reading Shonda Rhimes' *Year of Yes*. Come to think of it, I'm reading a few more. I've got a collection of books on the side of my bed. Most of them I'm in chapter three or chapter two and chapter one. I'm hoping to finish reading them by June before starting on the other books that I have managed to collect last year.

Depending on the night, do you just grab whichever book you feel like reading?

Yes, depending on the night, I'll reach for the book that will help me the most. For example, this book, *Unstoppable*, basically talks about overcoming any obstacles that you have in life and having a positive attitude. It has really helped me when I'm feeling discouraged or stressed from work. It's similar to Shonda Rhimes' book as well because it is a feel good, encouraging, motivational, empowering type of book.

Then the other book is a book on the life of Winnie Mandela. You've probably picked up that I'm into women empowerment and powerful women, and your women who are able to overcome any obstacles thrown at them. This book talks about the life of Winnie Mandela, who is the ex-wife of our late former president Nelson Mandela. I'm really enjoying it. Besides being a motivational book, it's also a reality check kind of book for me.

Do you have a favorite food?

I'm quite a health freak. I eat your protein, your vegetables, your low-carbs. I've got kind of strict eating habits. If I'm feeling naughty, then I'll have pasta or chocolate. Ordinarily, I love your salmon and your veggies. I love well-cooked vegetables if it's cooked crisp and green and bright. That, for me, is better than any burger or pizza. I know it sounds boring but it's my preference. When it comes to drinks, give me a good glass of water and I'm happy.

Do you like to travel?

I do. In fact, I have a vision board with all the places that I'd like to see, with all the pictures of the destinations that I'd like to go. I'm big on music and dancing. So I always make sure if I go to a country, to go to your local dance place. I'll try to find the place where the locals like to dance and have fun and find what type of music they listen to and things like that.

Traveling, for me, is about exploring the different people that are out there and learning to enjoy yourself within those places and just becoming one of them for that particular time before you go back to reality.

What's the next place you'd like to visit?

I'd really love to go to Morocco. I've read up about it and the culture and the richness of the food and the perfumes and things like that. I'm pretty sure it's luxurious, but it's expensive as anything.

[Joshua H. Shields](#)



Editor In Chief

Association of Corporate Counsel