



(Hereinafter referred to as "the Company" →
(2020/277408/07)

Website Privacy Terms & POPI Conditions

Whereas the Company respects the privacy of all personal data and private information collected, processed and stored. As such, we undertake to handle all personal information received and processed with due care and provide the necessary security to safeguard all information held by us. Our internal system similarly allows us to proactively react should there be a breach of any kind, alternatively our privacy practices and POPI policy dictates that we report any material breach to the Regulator. The further terms of the Company's privacy policy, cookies policy and general terms of compliance are recorded hereunder:

Definitions:

1.1. "personal information" means personal information related to the user, a data subject or any third-party making use of the Company's services and providing same with any personal information, including but not limited to identity numbers, biometric information, contact details and health records. This is considered information that falls within the scope and ambit of the Protection of Personal Information Act 4 of 2013 ("POPI"), but which is freely provided in terms of this policy or any SOP of the Company, and which may be utilized for the reasons stated in this policy and/or the reasons stated upon collection of any personal information.

Cookies: The Company uses cookies, pixels and other technologies (collectively referred to as "cookies") to recognize your browser or device, learn more about your company or industry, and provide you with essential features and services, as well as for additional purposes, including:

1. Recognizing you when you sign-up to use our services. This allows us to provide each user or data subject with customized features and services, if applicable.
2. Conducting research and diagnostics to improve the Company's website content, products, and services.
3. Preventing fraudulent activity.
4. Improving security.
5. Delivering content, including ads, relevant to your interests.
6. Reporting. This allows us to measure and analyse the performance of our services.

You can manage browser cookies through your browser setting. The "Help" feature on most browsers will tell you how to prevent your browser from accepting new cookies; how to have the browser notify you when you receive a new cookie; how to disable cookies; and when cookies will expire. If you disable all cookies on your browser, the Company, nor any of its third parties, will transfer cookies to your browser. If you do this, however, you may have to manually adjust some preferences every time you visit a site and some features and services may not work.

Website Privacy & POPI:

Your privacy is important to the Company. This policy explains the Company's privacy practices and the choices you have about the way your personal information will be dealt with. All practices are in line with the Company's SOP and the provisions of POPI.

1. Personal information is collected only when knowingly and voluntarily submitted.
2. Personal information is only used for the purpose for which it was collected and/or submitted or such secondary purposes that are related to the primary purpose.
3. In addition to where you have consented to the disclosure of your personal information, personal information may be disclosed in special situations where the Company has reason to believe that doing so is necessary to identify or act against anyone damaging or interfering with our rights or property, users or anyone else that could be harmed by such activities.
4. The Company may engage third parties to provide you with goods or services on our behalf and in such circumstances may disclose your personal information to such parties in order to provide such goods and services.

Information security on our website:

1. Any information that you upload on our website will be stored on a secure server and be used for limited purposes such as future communications (which you are always entitled to un-subscribe to).
2. The Company will not disclose, sell, rent, or disseminate your personal information to third parties without your consent unless the Company is compelled to do so by law. The Company may do so if you have granted consent thereto.
3. While all reasonable efforts are taken to ensure that your personal information is protected as it travels over the internet, the Company cannot guarantee the absolute security of any information you exchange with us due to reason beyond our control.
4. The Company may use cookies and web beacons to facilitate improvement of our website. However, neither cookies nor web beacons collect personal information such as the user's name or email address. You may reject cookies, as most browsers permit individuals to decline same.

POPI Compliance:

Procurement of Personal Information

2. Personal information collected by the Company and/or any of its representatives, will be collected directly from the data subject, unless:

- 2.1. The information is contained or derived from a public record or has deliberately been made public by the data subject;
- 2.2. The data subject or a competent person where the data subject is a child, has consented to the collection of the information from another source;
- 2.3. Collection of the information from another source would not prejudice a legitimate interest of the data subject;
- 2.4. Collection of the information from another source is necessary:
 - 2.4.1. To avoid prejudice to the maintenance of the law by any public body, including the prevention, detection, investigation, prosecution and punishment of offences;
 - 2.4.2. To comply with an obligation imposed by law or to enforce legislation concerning the collection of revenue;
 - 2.4.3. For the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated;
 - 2.4.4. To maintain the legitimate interests of the Company or of a third party to whom the information is supplied;
- 2.5. Compliance would prejudice a lawful purpose of the collection; or
- 2.6. Compliance is not reasonably practicable in the circumstances of the particular case

3. Personal Information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the Company.
4. Steps will be taken to ensure that the data subject is aware of the purpose of the collection of the information.
5. The Company will take reasonably practicable steps to ensure that the personal information is complete, accurate, not missing and updated where necessary, having regard to the purpose for which the personal information is collected and further processed.

6. Where personal information is collected from a data subject, the Company will take reasonable practicable steps to ensure that the data subject is aware of:
 - 6.1. The information being collected and where the information is not collected from the data subject, the source from which it is collected;
 - 6.2. The name and address of the Company;
 - 6.3. The purpose for which the information is being collected;
 - 6.4. Whether or not the supply of the information by the data subject is voluntary or mandatory;
 - 6.5. The consequences of failure to provide the information;
 - 6.6. Any particular law authorising or requiring the collection of the information;
 - 6.7. The fact that, where applicable, the Company intends to transfer the information to a third to a third country or international organisation and the level of protection offered to the information by that third country or international organisations;
 - 6.8. Any further information such as the:
 - 6.9. Recipient or category of recipients of the information;
 - 6.10. Nature or category of the information;
 - 6.10.1. Existence of the right of access to and the right to rectify the information collected;
 - 6.10.2. Existence of the right to object to the processing of personal information;

Which is necessary, having regard to the specific circumstances in which the information is or is not to be processed, to enable processing in respect of the data subject to be reasonable.

7. The steps referred to in clause 6 must be taken:

- 7.1. If the information is collected directly from the data subject, prior to the information being collected, unless the data subject is already aware of the information;
- 7.2. In any other case, before the information is collected or as soon as reasonably practicable after it has been collected.

8. It will not be necessary for the Company to comply :

- 8.1. The data subject or a competent person if the data subject is a child has provided consent for the non-compliance;
- 8.2. Non-compliance would not prejudice the legitimate interests of the data subject;
- 8.3. Non-compliance is necessary:
 - 8.3.1. To avoid prejudice to the maintenance of the law by any public body, including the prevention, detection, investigation, prosecution and punishment of offences;
 - 8.3.2. To comply with an obligation imposed by law or to enforce legislation concerning the collection of revenue;
 - 8.3.3. For the conduct of proceedings in any court or tribunal that have commenced or are reasonable contemplated; or
 - 8.3.4. In the interest of national security.

8.4. Compliance would prejudice a lawful purpose of the collection;

8.5. Compliance is not reasonably practicable in the circumstances of the particular case; or

8.6. The information will:

- 8.6.1. Not be used in a form in which the data subject may be identified; or
- 8.6.2. Be used for historical, statistical or research purposes.

Processing of Personal Information

9. Personal Information will only be processed lawfully and in a reasonable manner that does not infringe the privacy of the data subject.
10. Personal Information may only be processed if:
 - 10.1. given the purpose for which it was processed, it is adequate, relevant and not excessive; 10.2. the data subject or a competent person where the data subject is a child consents to the processing;
 - 10.3. processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is a party;
 - 10.4. processing complies with an obligation imposed by law on the Company;
 - 10.5. processing protects a legitimate interest of the data subject; or
 - 10.6. processing is necessary for pursuing the legitimate interest of the Company or of a third party to whom the information is supplied.
11. In the event that the Company appoints or authorises an operator to process any personal information on its behalf or for any reason, it will implement necessary agreements to ensure that the operator or anyone processing personal information on behalf of the Company or an operator, must:
 - 11.1. Process such information only with the knowledge or authorisation of the Company; and
 - 11.2. Treat personal information which comes to his/her/its knowledge as confidential and must
12. The Company must maintain the documentation of all processing operations under its responsibility.

Further Processing of Personal Information

13. The Company must ensure that the further processing of personal information be compatible with the purpose for which it was collected.
14. To assess whether further processing is compatible with the purpose of collection, the Company will take account of:
 - 14.1. The relationship between the purpose of the intended further processing and the purpose for which the information was collected;
 - 14.2. The nature of the information concerned;
 - 14.3. The consequences of the intended further processing for the data subject;
 - 14.4. The manner in which the information has been collected; and
 - 14.5. Any contractual rights and obligations between the parties.
15. The further processing of personal information will not be incompatible with the purpose of collection if:
 - 15.1. The data subject or competent person where the data subject is a child, has consented to the further processing of the information;
 - 15.2. The information is available in or derived from a public record or has deliberately been made public by the data subject;

Retention and Restriction of Records

16. Records of personal information must not be retained any longer than necessary for achieving the purpose for which the information was collected or subsequently processed, unless:
- 16.1.** The retention of a record is required or authorized by law;
 - 16.2.** The Company reasonable requires a record for lawful purposes related to its functions or activities;
 - 16.3.** Retention of a record is required by a contact between the parties thereto; or
 - 16.4.** The data subject or a competent person where the data subject is a child has consented to the retention of a record.
17. Information collected or processed initially for the purposed of historical, statistical or research value, may be retained for a period longer than contemplated in clause 10.1, providing the Company has appropriate measures in place to safeguard these records against uses other than what it was intended for initially.
18. The Company will destroy or delete a record of personal information or de-identify it as soon as reasonably practicably after The Company is no longer authorized to retain a record.
19. The de-identifying or deletion of a record of personal information must be done in a manner that prevents its reconstruction in an intelligible/understandable form.
20. In the event that The Company uses a record of personal information of a data subject to make a decision about the data subject, it must:
- 20.1.** Retain the record for such period as may be required or prescribed by law or a code of conduct; or
 - 20.2.** If there is no law or code of conduct prescribing a retention period, retain the record for a period which will afford the data subject a reasonable opportunity, taking all considerations relating to the use of the personal information into account, to request access to the record.
21. The Company will restrict the processing of personal information if:
- 21.1.** Its accuracy is contested by the data subject, for a period enabling The Company to verify the accuracy of the information;
 - 21.2.** The Company no longer needs the personal information for achieving the purpose for which it was collected or subsequently processed, but it has to be maintained for purposed of proof;
 - 21.3.** The processing is unlawful, and the data subject opposed its destruction or deletion and request the restriction of its use instead; or
 - 21.4.** The data subject requests to transit the personal data into another automated processing system.
22. Personal information that has been restricted may only be processed for purposes of proof, or with the data subject's consent, or with the consent of a competent person where the data subject is a child, or for the protection of the rights of another natural or legal person or if such processing is in the public interest.
23. Where the information is restricted, The Company will inform the data subject before lifting the restriction.

Security Safeguards

24. The Company will secure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable, technical and organisational measures to prevent:

- 24.1.** Loss of, damage to or unauthorized destruction of personal information; and
- 24.2.** Unlawful access to or processing of personal information.

25. The Company will take reasonable measures to:

- 25.1.** Identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;
- 25.2.** Establish and maintain appropriate safeguards against the risks identified;
- 25.3.** Regularly verify that the safeguards are effectively implemented; and
- 25.4.** Ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

26. The Company will have due regard to generally accepted information security practices and procedures which may apply to it generally or be required in terms of specific industry or professional rules and regulations.

27. The Company will, in terms of a written contract between The Company and the operator, ensure that the operator which processes personal information for The Company, establishes and maintain the security measures as referred to herein.

28. The operator will inform The Company immediately where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorized person.

Security Compromises

29. Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorized person, The Company will notify:

- 29.1.** The Information Regulator; and
- 29.2.** The data subject unless the identity of such data subject cannot be established.

30. The notification of a breach will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of The Company's information system.

31. The Company will only delay notification of the data subject if a public body responsible for the prevention, detection or investigation of offences or the Regulator determines that notification will impede a criminal investigation by the public body concerned.

32. The notification to a data subject will be in writing and communicated to the data subject in at least one of the following ways:

- 32.1.** Posted to the data subject's last known physical or postal address; or
- 32.2.** Sent by e-mail to the data subject's last known e-mail address; or
- 32.3.** Placed in a prominent position on the website of The Company; or
- 32.4.** Published in the news media.

33. The notification will provide sufficient information to allow the data subject to take protective measures against the potential consequences of the compromise, including:

- 33.1.** A description of the possible consequences of the security compromise;
- 33.2.** A description of the measures that The Company intends to take or has taken to address the security compromise;
- 33.3.** A recommendation with regard to the measures to be taken by the data subject to mitigate the possible adverse effects of the security compromise; and
- 33.4.** If known to The Company, the identity of the unauthorized person who may have accessed or acquired the personal information.

Rights of the Data Subject

34. The data subject or competent person where the data subject is a child, may withdraw his, her or its consent to procure and process his, her or its personal information, at any time, providing the lawfulness of the processing of the personal information before such withdrawal or the processing of personal information in terms of clause 9.2 (c) - (g), is not affected.

35. A data subject may object, at any time, to the processing of personal information:

- 35.1.** In terms of clause 9.2 (c) - (g), in writing, on reasonable grounds relating to his/ hers or its particular situation, unless legislation provides for such processing; or
- 35.2.** For purposes of direct marketing other than direct marketing by means of unsolicited electronic communications.

36. A data subject, having provided adequate proof of identity, has the right to:

- 36.1.** Request the Company to confirm, free of charge, whether or not the Company holds personal information about the data subject; and
- 36.2.** Request from The Company a record or a description of the personal information about the data subject held by The Company, including information about the identity
- 36.3.** of all third parties, or categories of third parties, who have, or have had, access to the information:
 - 36.3.1.** Within a reasonable time;
 - 36.3.2.** At a prescribed fee as determined by the Information Officer;
 - 36.3.3.** In a reasonable manner and format; and
 - 36.3.4.** In a form that is generally understandable.

36. A data subject may, in the prescribed manner, request The Company to:

- 37.1.** Correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
- 37.2.** Destroy or delete a record of personal information about the data subject that The Company is no longer authorized to retain.



38. Upon receipt of a request referred to above, The Company will, as soon as reasonably practicable:

- 38.1.** Correct the information;
- 38.2.** Destroy or delete the information;
- 38.3.** Provide the data subject, to his, her or its satisfaction, with credible evidence in support of the information; or
- 38.4.** Where an agreement cannot be reached between The Company and the data subject, and if the data subject so requests, take such steps as are reasonable in the circumstances, to attach to the information in such a manner that it will always be read with the information, an indication that a correction of the information has been requested but not been made.

39. The Company will inform the data subject, who made a request as set out above, of the action as a result of the request.

Request for Disclosure

The Company will respond promptly when the data subjects request notification of purpose of use, disclosure, correction, addition or deletion of details, and suspension of use or elimination relating to personal information held by the Company.

