**<INSERT COMPANY NAME>, trading as <INSERT TRADING AS NAME (if applicable)> Privacy Notice**

<INSERT COMPANY NAME> trading as <Insert Trading As Name (if applicable)> (“<Insert Company Name>”, “we”, “us”) utilises customer information provided directly to us as well as through the website located at <Insert Website Address> (“Website”) and other premises and interactive properties through which we supply our services (the “Service”).

<Insert Company Name> is the company or companies responsible for collecting or otherwise processing your personal information in the Republic of South Africa (“RSA”), having our registered address at <INSERT BUSINESS PHYSICAL ADDRESS>.

This privacy notice (“Privacy Notice”) outlines the personal information that <Insert Company Name> may collect, how we use and safeguard that information, and with whom we may share it.

<Insert Company Name> encourages its customers, visitors, business associates, and other interested parties to read this Privacy Notice, which applies to all users. By using our Service or submitting personal information to <Insert Company Name> by any means, you acknowledge that you understand that you will be bound by this Privacy Notice and that we will collect, transfer, use, disclose and otherwise process your personal information as described in this Privacy Notice.

**What personal information do we collect about you?**

Personal information (also commonly known as personal data) is information that can be used to identify you, or any other individual or juristic person to whom the information may relate.

<Insert Company Name> collects and processes various information pertaining to its employees, shareholders, customers, and suppliers. At the point of collecting the information or as soon as reasonably possible thereafter, we will inform the relevant party of the information required (mandatory) and which information is deemed optional.

The employee, shareholder or customer will be informed of the consequence/s of failing to provide their personal information and any prejudice which may be incurred due to non-disclosure. For example, we may not be able to employ an individual without certain personal information relating to that individual; or the organisation may not be in a position to render services to a customer in the absence of certain information which is required.

The personal information that we may collect directly from those registering for the Service, includes the following categories:

* Name and contact information (e.g. phone number; email, address);
* Billing information (e.g. billing contact information);
* Order information (e.g. current order/purchase information, purchase history);
* Identity number and copy of identity document;
* Company information (if a company, including VAT number, company registration number if applicable, company registered address);
* Geographic or location information;
* Financial information (e.g. bank account, credit history, personal income and expenses etc.);
* Credit screening information obtained from a third party such as a credit bureau;
* Information contained in posts you may like / follow on the public forums and interactive features of the Service; and
* Other information that may be exchanged in the course of engaging with the Service. You will be aware of any subsequently collected information because such information will be supplied directly by you where necessary.

**Collection of User Generated Content**

You may be invited to post content on the <Insert Company Name> Website, including your comments and any other information that you would like to be available on the Website, which may become public (“User Generated Content”). If you post User Generated Content, all of the information that you post will be available to authorised personnel of <Insert Company Name>. You expressly acknowledge that we may access in real-time, record, and store archives of any User Generated Content on our servers to make use of them in connection with the Service. If you submit a review, recommendation, endorsement, or other User Generated Content through the Website, or through other websites including Facebook, Instagram, Google, and other similar channels, we may share that review, recommendation, endorsement, or content publicly on the Website.

**What are the sources of personal information collected by** <Insert Company Name>**?**

When providing personal information to <Insert Company Name> as described in this Privacy Notice, that personal information is collected directly from you or a referring party (such as existing customers, for example your friends, family or colleagues), and you will know the precise personal information being collected by us. <Insert Company Name> does not collect personal information from any other sources, except where it may automatically be collected as described in the section titled “Cookies, Device Data, and How it is Used”, if the information in that section is considered personal information.

**Why does** <Insert Company Name> **collect your personal information?**

Subject to the terms of this Privacy Notice, <Insert Company Name> uses the above-described categories of personal information in several ways. Unless otherwise stated specifically, the above information may be used for any of the following purposes:

* to market our products and services to you if you have opted-in to receiving our marketing communications or you are an existing customer of ours;
* to quote you on the relevant products and services;
* to provide the Service to you;
* to respond to your requests, expression of interests or complaints;
* to distribute communications relevant to your use of the Service, such as information about your use of the Service;
* as may be necessary to support the operation of the Service, such as for billing, account maintenance, and record-keeping purposes;
* to send to you <Insert Company Name> solicitations, product, or promotion announcements, and the like that we feel may be of interest to you;
* in other manners after subsequent notice is provided to you and/or your consent is obtained, if necessary.

<Insert Company Name> does not sell, re-sell, or distribute for re-sale your personal information.

**How do we share your Personal Information with third parties?**

At <Insert Company Name>, we do not share, rent or trade your personal information with other, third-party companies for their commercial or marketing use without your consent.

When necessary, we may share information about you with the following recipients:

* any of our <Insert Company Name> companies, franchisees and subsidiaries and associated companies;
* tax, audit, or other authorities, when we believe we are legally required to do so, where the relevant authority has asked us to assist (for example, because of a request by a tax authority or in connection with any expected litigation), or in order to help prevent fraud or to protect the rights of <Insert Company Name>; or protect the personal safety of <Insert Company Name> employees, third party agents or members of the public;
* third party service providers such as external consultants and professional advisers (including law firms, auditors and accountants), technical support functions, and IT consultants carrying out testing and development work on our business technology systems);
* third parties for the purposes of background screening checks, credit worthiness checks, order fulfilment, delivery, customer support services and storage services;
* third party outsourced IT providers, including but not limited to email/text messaging providers; Cloud IT service providers, business suite solution providers; data analytics agencies; IT strategic implementation partners; hosting service providers;
* if it is proposed that a <Insert Company Name> entity or business is to merge with or be acquired by another business in the future, we may share your personal information with potential purchasers, where this is necessary, or the new owners of the business or company.

In addition, we may release personal information: (i) to the extent we have a good-faith belief that such action is necessary to comply with any applicable law; (ii) to enforce any provision of the Terms of Service, protect ourselves against any liability, defend ourselves against any claims, protect the rights, property and personal safety of any user, or protect the public welfare; (iii) when disclosure is required to maintain the security and integrity of the Service, or to protect any user’s security or the security of other persons, consistent with applicable laws (iv) to respond to a court order, subpoena, search warrant, or other legal process, to the extent permitted and as restricted by law; or (v) in the event that we go through a business transition, such as a merger, divestiture, acquisition, liquidation or sale of all or a portion of our assets.

**Data Subjects with Business Relationships with** <Insert Company Name>

At <Insert Company Name>, we need some information about you, such as your name, identity number, company name and registration number (where applicable), bank details, tax (VAT) details and contact details so we can work with you to manage the contract and relationship for the goods or services you supply to us, or we supply to you.

In addition, as part of managing the business relationship, we may be legally required to conduct ‘know your customer’, or similar compliance screenings on you. In doing so we will use the information listed below. In the context of conducting compliance screenings, we will also check the personal information provided to us against public information.

| **Why do we hold your information** | **What type of information?** | **How legally can we use your information?** |
| --- | --- | --- |
| To contact you in order to manage the contract and business relationship with you. | Name, contact information (e.g. email address, telephone number) | To perform our obligations under **contract**or take steps prior to entering into a contract. |
| To comply with all statutory and regulatory requirements within the jurisdictions within which we operate (including those relating to bribery and corruption, money laundering and sanctions) when engaging with third parties. | Name, contact information, financial information, such as creditworthiness, bank account details, specimen signature; andIn the case of certain key individuals: KYC (know your customer) and KYS (know your supplier) records, identity documentation, identification number, date and place of birth, nationality, relationships with public officials, or allegations of criminal conduct. | To comply with **Legal obligations** to which <Insert Company Name> is subject and to perform our obligations under contract or take steps prior to entering into a contract |
|   | Personal information relating to criminal allegations, proceedings, or convictions; and political opinions | To comply with regulatory requirements relating to unlawful acts to which we are subject, including but not limited to the bribery and sanction laws. |

**Direct Marketing Communications**

We may communicate with you using email, SMS, WhatsApp and other channels (sometimes through automated means) as part of our effort to market our products or services, administer or improve our products or services, or for other reasons stated in this Privacy Notice.

If you no longer wish to receive correspondence, emails, or other communications from us, you may opt-out by submitting a request by emailing <INSERT EMAIL ADDRESS>, or by using the UNSUBSCRIBE link in any email communication (as applicable) you may have received. Further, you may express your communication preferences by:

* Noting your preferences at the time you make contact with us through the Website or telephonically; or
* Contacting us using the contact information provided below.

Please note that you may continue to receive non-marketing communications as may be required to maintain your relationship with <Insert Company Name>, specifically in relation to the provision of the Service.

**Retention of Data**

<Insert Company Name> will retain your personal information for as long as is necessary for the purposes set out in this Privacy Notice or we will retain and use personal information to the extent necessary to comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes and enforce our legal agreements, customer contracts and policies.

<Insert Company Name> will also retain usage data for internal analysis purposes. Usage data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of the Website and/or any associated product and service applications, or we are legally obligated to retain this data for longer periods.

**Cookies, Device Data, and How it is Used**

When you use our Service, we may record unique identifiers associated with your device (such as the device ID and IP address), your activity on the Website, and your network location. <Insert Company Name> uses aggregated information (such as anonymous user usage information, cookies, IP addresses, browser type, clickstream information, etc.) to improve the quality and design of the Service and to create new features, promotions, functionality, and services by storing, tracking, and analysing user preferences and trends. Specifically, we may automatically collect the following information about your use of Service through cookies, web beacons, and other technologies:

* domain name
* browser type and operating system
* web pages you view
* links you click
* IP address
* the length of time you visit the Sites, Portals, and/or Services
* the referring URL or the webpage that led you to the Sites

We may also collect information regarding application-level events, such as crashes, and associate that temporarily with your account to provide customer service. In some circumstances, we may combine this information with personal information collected from you (and third-party service providers may do so on our behalf).

In addition, we may use "cookies," clear gifs, and log file information that help us determine the type of content and pages to which you link, the length of time you spend at any particular area of the Service, and the portion of the Service you choose to use. A cookie is a small text file that is sent by a website to your computer or mobile device where it is stored by your web browser. A cookie contains limited information, usually a unique identifier and the name of the site. Your browser has options to accept, reject or provide you with notice when a cookie is sent. Our cookies can only be read by <Insert Company Name>; they do not execute any code or virus; and **they do not contain any personal information**. Cookies allow <Insert Company Name> to serve you better and more efficiently, and to personalise your experience with the Website. We may use cookies for many purposes, including (without limitation) to save your password so you do not have to re-enter it each time you visit the Service, and to deliver content (which may include third party advertisements) specific to your interests.

We may use third party service providers to help us analyse certain online activities. For example, these service providers may help us measure the performance of our online campaigns or analyse visitor activity on the Website. We may permit these service providers to use cookies and other technologies to perform these services for <Insert Company Name> as a whole. We do not share any personal information about our customers with these third-party service providers, and these service providers do not collect such personal information on our behalf. Our third-party service providers are required to comply fully with this Privacy Notice.

**South African Privacy Rights**

If you are a South African resident, South African law provides you with certain rights regarding your personal information under the Protection of Personal Information Act (“POPIA”) and Promotion of Access to Information Act (“PAIA”) as well the Consumer Protection Act. Throughout this Privacy Notice you will find information required by POPIA regarding the categories of personal information collected from you; the purposes for which we use personal information, and the categories of third parties your data may be shared with. This information is current as of the date of the Privacy Notice and is applicable in the 12 months preceding the effective date of the Notice.

As a South African resident, the POPIA and PAIA provide you the ability to make inquiries regarding your personal information. Specifically, the degree to which the information is not already provided in this Privacy Notice, you have the right to request disclosure or action your personal information, including:

* If your personal information is collected by us.
* The specific pieces of personal information collected about you.
* The right to request access to the personal information about you which we collect.
* The right to correct or delete certain personal information collected about you.
* To right to object to processing of your personal information in certain circumstances based on reasonable grounds, or
* Appeal any rejection of access to your personal information.

You may submit a request regarding your rights under POPIA or PAIA to <INSERT EMAIL ADDRESS>.

If we receive a POPIA request from you, we will first make a determination regarding the applicability of the law, and we will then take steps to verify your identity prior to responding. The steps to verify your identity may vary based on our relationship with you, but, at a minimum, it will take the form of confirming and matching the information submitted in the request with information already held by <Insert Company Name> and/or contacting you through previously used channels to confirm that you submitted the request (i.e. confirming identity through contact information that we have on file, and/or the contact information submitted to make the request).

<Insert Company Name> does not knowingly collect or process the special personal information such as your religious or philosophical beliefs, race or ethnic origins, trade union memberships, political persuasion, health or sex life, or your criminal behaviour or biometric information.

If you have a comment, question, or complaint about how we are processing your personal information, we request that you contact us at <INSERT EMAIL ADDRESS> to allow us to resolve the matter. In addition, if you are located in the Republic of South Africa, you may submit a complaint regarding the processing of your personal information to the Information Regulator at the following link: <https://www.justice.gov.za/inforeg/contact.html>. Alternatively, the Information Regulator’s contact details are:

JD House, 27 Stiemens Street, Braamfontein, Johannesburg

PO Box 31533, Braamfontein, Johannesburg, 2001

Email: POPIAComplaints.IR@justice.gov.za

**Information Storage and Security**

We care about protecting your information. That's why we put in place appropriate measures that are designed to prevent unauthorised access to, and misuse of, your personal information.

We are committed to taking all reasonable and appropriate steps to protect the personal information that we hold from misuse, loss, or unauthorised access. We do this by having in place a range of appropriate technical and organisational measures, including encryption measures and document management policies. Furthermore, we employ industry-standard and/or generally accepted security measures designed to secure the integrity and confidentiality of all information submitted through the <Insert Company Name> Website or otherwise obtained in rendering the Service. However, the security of information transmitted through the internet or via a mobile device can never be guaranteed. We are not responsible for any interception or interruption of any communications through the internet or for changes to or losses of data.

Users of the <Insert Company Name> Website are responsible for maintaining the security of any password, user ID or other form of authentication involved in obtaining access to password protected or secure areas of the Website (where applicable). To protect you and your information, we may suspend your use of the Website, without notice, pending an investigation, if any breach of security is suspected.

If you suspect any misuse or loss of or unauthorised access to your personal information, please let us know immediately by contacting us on the details provided at the end of this notice.

**External Links**

The <Insert Company Name> Website may contain links to other websites maintained by third parties. Please be aware that we exercise no control over linked sites and <Insert Company Name> is not responsible for the privacy practices or the content of such sites. Each linked site maintains its own independent privacy and data collection policies and procedures, and you are encouraged to view the privacy policies of these other sites before providing any personal information.

You hereby acknowledge that <Insert Company Name> is not responsible for the privacy practices, data collection policies and procedures, or the content of such third-party sites, and you hereby release <Insert Company Name> from any and all claims arising out of or related to the privacy practices, data collection policies and procedures, and/or the content of such third-party sites.

**Children’s Privacy**

The Service is not intended for children under the age of 18, and <Insert Company Name>does not knowingly collect the personal information of children under the age of 18.

**Changes to this Privacy Notice**

<Insert Company Name> reserves the right to modify this Privacy Notice from time to time in order that it accurately reflects the regulatory environment and our data collection principles. When material changes are made to this Privacy Notice, <Insert Company Name> will retain the updated notice within the business unit. This Privacy Notice was last modified as of <INSERT DATE OF LAST UPDATE>.

**Contact Us**

If you have any questions or comments about this Privacy Notice or the Service provided by <Insert Company Name>, please contact us at:

Postal address: <INSERT BUSINESS POSTAL ADDRESS>

Email address: <INSERT EMAIL ADDRESS>

Telephone number: <INSERT TELEPHONE NUMBER>