

## PRIVACY POLICY

This privacy policy ("**Privacy Policy**") applies to how Hulisani Limited Processes your Personal Information (as defined in paragraph 2.1 below) when you use our website ("**Website**") and more generally, use any of our services ("**Services**"). Please read this Privacy Policy carefully.

**All of the provisions of this Privacy Policy are important, but please pay special attention to the parts that are in bold writing. These parts contain information about provisions that have special consequences for you. These parts are only intended to bring such provisions to your attention, and, where necessary, to explain their fact, nature and effect. Where explanations are given, they may be contained in a box. Such boxed explanations are aids to understanding only and are not provisions themselves. They do not limit the meaning or application of the provisions, and do not apply only to the situations and examples described in the boxes or only to similar situations or examples.**

### 1. Scope of the Privacy Policy

#### 1.1 Introduction and scope

1.1.1 Hulisani Limited, registration number 2015/363903/06, with registered office at 4<sup>th</sup> Floor, North Tower, 90 Rivonia Road, Sandton, 2196 is a public company incorporated under and governed by the laws of South Africa ("**Hulisani**" or "**we**" or "**us**" or "**our**").

1.1.2 We are committed to protecting and respecting your privacy. We strive to ensure that our use of your Personal Information is lawful, reasonable, and relevant to our business activities, with the ultimate goal of improving our Services and your experience.

1.1.3 This Privacy Policy sets out what we will do with any Personal Information we collect from or about you, or that you provide to us, when you use our Website and/or our Services.

#### 1.2 Your consent to the Processing of your Personal Information

1.2.1 **By agreeing to this Privacy Policy, you provide us with your express consent** and agreement that we may collect, get, receive, record, organise, collate, store, update, change, retrieve, read, process, consult, use and share your Personal Information in the manner set out in this Privacy Policy. When we do one or more of these actions with your Personal Information, we are "**Processing**" your Personal Information (and "**Process**" has a corresponding meaning).

1.2.2 **If you do not agree with this Privacy Policy or are concerned about any aspect as it relates to your Personal Information, please do not continue to use our Website or Services.**

**In the paragraph above you expressly give your permission to us to Process your Personal Information in the manner and for the purposes set out in this Privacy Policy. By doing this, you know and accept that you are giving up certain parts of your right to privacy.**

#### 1.3 What does this Privacy Policy apply to?

1.3.1 This Privacy Policy applies to the Processing by us or on our behalf, and our successors-in-title, of Personal Information (defined below) relating to you ("**user**", "**you**", or "**your**") as a user of our Website and/or our Services, regardless of the device which you use to access it, which device is capable of using, or enabled to use, our Website including, but not limited to, internet-connected mobile devices and tablets ("**Access Device**").

- 1.3.2 This Privacy Policy does not apply to Processing of Personal Information by other third parties relating to or by means of other parties' websites, products or services, such as websites linked to, from or advertised on our Website or through our Services, or sites which link to or advertise our Website. Such Processing may be subject to privacy policies of third parties.

## 2. What is Personal Information?

- 2.1 "**Personal Information**" refers to personal information about an identifiable natural or juristic person. Your Personal Information may include your name and surname, age, date of birth, contact details (e.g. your home or registered address, postal address, email address or phone number). Other information which might be Personal Information may include:

- 2.1.1 "**device and device event information**": We may collect information such as your IP address, unique device identifier, the nature of the Access Device which you used to access our Website, the geographic location from which you accessed our site, hardware model and settings, operating system type and version, browser language, system activity, and crashes;

- 2.1.2 "**log information**": When you use and/or view our Website, we may automatically collect and store certain information in server logs when you access our Website, which may include your site activity information, such as details of how, when and for how long you were on the Website, what links you went to, what content or information you accessed, the amount of content viewed and the amount of time spent on the specific content;

- 2.1.3 "**location information**": We may use various technologies to determine your actual location, such as geographical data from your Access Device (which is usually based on the GPS or IP location).

- 2.2 Personal Information does not include information that has been de-identified to the extent that it cannot be re-identified again.

## 3. When will we Process your Personal Information?

- 3.1 In addition to paragraph 4 below, Personal Information may be Processed by us in several ways, including, when:

- 3.1.1 you access, use, refer to, view and/or make use of our Website or Services;

- 3.1.2 you submit your Personal Information to us for any other reason; and

- 3.1.3 you contact us, by email or telephonically or otherwise, with any queries.

## 4. How we collect your Personal Information

- 4.1 We may collect your Personal Information in three ways, namely:

- 4.1.1 actively from you;

- 4.1.2 passively from your Access Device when you use our Website; and

- 4.1.3 passively from our affiliates and third party service providers.

### 4.2 Active collection from you

- 4.2.1 We may require you to submit certain information in order for us to render our Services to you. We may also collect Personal Information from you by asking you specific questions and by permitting you to communicate directly with us, for example via email, feedback forms and forums.

- 4.2.2 If you contact us, we may keep a record of that correspondence.

- 4.2.3 The information we may actively collect from you may include your:
  - 4.2.3.1 identifying information (e.g. your name, surname, nationality, race, unique identifier, date of birth and physical location);
  - 4.2.3.2 academic history;
  - 4.2.3.3 contact details (e.g. email address and phone number);
  - 4.2.3.4 financial; and/or
  - 4.2.3.5 any other information which we may request from you, and which you provide, from time to time.

#### 4.3 **Passive collection from your Access Device**

- 4.3.1 We passively collect some of your Personal Information from the Access Device which you use to access and navigate through our Website, using various technological means, for instance, using server logs to collect and maintain log information.
- 4.3.2 We also use cookies and anonymous identifiers which enable our computer system to recognise you when you next visit our Website to distinguish you from other users and to improve our Service to you, and which can be used to enhance the content of our Website and make it more user-friendly, as well as to give you a more personalised experience.
- 4.3.3 A cookie is a small piece of data (an alphanumeric identifier) which our computer system transfers to your Access Device through your web browser when you visit our Website, and which is stored in your web browser. When you visit our Website again, the cookie allows the site to recognise your browser. Cookies may store user preferences and other information.
- 4.3.4 You may disable the use of cookies by configuring your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do so, you may not be able to enjoy all of the features and functionality of our Website.
- 4.3.5 The information which we may passively collect from your Access Device may include device and device event information, site activity information, log information, telephony log information, location information, unique application numbers and any other information which you permit us, from time to time, to passively collect from your Access Device.

#### 4.4 **Passive collection from our affiliates and third party service providers**

We collect some Personal Information passively from our affiliates, business partners, companies and third party service providers, purely to supplement and/or verify information which you have already agreed to give us. Third parties from whom we may collect information about you include third parties providing us with verification or background check services.

### 5. **How we use your Personal Information**

- 5.1 We use the information we collect to provide, maintain, and improve our Website and Services, to provide current and develop new Services, and to protect us, our Services and our users and affiliates. We constantly strive to improve your experience, and so we also use the information we collect in order to offer you information and Services which are tailored for you as far as reasonably possible.
- 5.2 We may use your Personal Information:
  - 5.2.1 to retain and make available to you information on our Website;
  - 5.2.2 to create and maintain a client or user portfolio;

- 5.2.3 to maintain and update our customer or potential customer databases;
  - 5.2.4 to maintain and update our investor database;
  - 5.2.5 to establish and verify your identity where necessary;
  - 5.2.6 to fulfil your requests for certain Services;
  - 5.2.7 to diagnose and deal with technical issues and user support queries and other user or applicant queries, such as problems with our server, determine the optimal and fastest route for your Access Device to use in connecting with our Website, and administer, maintain and secure our Website;
  - 5.2.8 to detect, prevent or deal with actual or alleged fraud, security or the abuse, misuse or unauthorised use of our Website and/or contravention of this Privacy Policy;
  - 5.2.9 to conduct market research surveys, product research and development;
  - 5.2.10 to provide you with the latest information about our Services, provided you have agreed to receive such information;
  - 5.2.11 to communicate with you;
  - 5.2.12 to compile non-personal statistical information about browsing habits, click patterns and access to our Website;
  - 5.2.13 to improve our Website, analyse trends and administer our Website and address any issues and liaise with users;
  - 5.2.14 to keep a record of our communications with you and your communications with us;
  - 5.2.15 to fulfil any contractual obligations we may have to you or any third party;
  - 5.2.16 to improve your experience with us and the overall quality of our Services;
  - 5.2.17 to inform you about any changes to our Website, this Privacy Policy or other changes which are relevant to you;
  - 5.2.18 to compile and use statistical information about you and other users and their access to and use of our Website, browsing habits, click-patterns, preferences, and demographics which we may use to develop, provide and improve our Website;
  - 5.2.19 to compile, use, disclose and trade with non-personal statistical information about our users and their access to and use of our Website, browsing habits, click-patterns, preferences, demographics which we may use to develop, provide and improve our Website and our products and our Services, including targeted advertising to user groups. Please note that the information referred to in this paragraph 5.2.19 is aggregate information about our users which has been de-identified personal information such that it cannot be linked back to identify you;
  - 5.2.20 for security, administrative and legal purposes;
  - 5.2.21 for customer relations; and
  - 5.2.22 other activities and/or purposes which are lawful, reasonable and adequate, relevant and not excessive in relation to provision of our Services and/or Website, our business activities or such other purpose for which it was collected.
- 5.3 We will get your consent before collecting or using your Personal Information for any other purpose.

## 6. Compulsory information and consequences of not sharing with us

As a client, only your email address, registered name/ full name and surname, contact details, banking details and such other information as we specify from time to time, constitutes compulsory information. All other information is optional. If you do not agree to share compulsory information with us, then you will not be able to make full use of our Services. If you do not agree to share your optional information with us, then you might not be able to enjoy all of the features and functionality on our Website, including certain Services.

**In the paragraph above, you agree and accept that there is certain compulsory information you must provide us with if you want to enjoy all of the features and functionality on our Website. If you decide not to provide us with such compulsory information, you agree that we may limit certain features and functionality on the Website.**

## 7. Sharing of your Personal Information

- 7.1 We will not intentionally disclose, for commercial gain or otherwise, your Personal Information other than as set out in this Privacy Policy, as permitted by applicable law or with your permission.
- 7.2 You agree and consent that your Personal Information may be shared under the following circumstances:
- 7.2.1 to our employees, third-party service providers, contractors, dealers and agents if and to the extent that they need to know that information in order to Process it for us and/or to provide services for or to us, such as hosting, development and administration, technical support and other support services. We will authorise any information processing done by a third party on our behalf by entering into written agreements with those third parties governing our relationship with them and containing confidentiality and non-disclosure provisions. Such persons may be disciplined, their contracts terminated, or other appropriate action taken if they fail to meet their obligations;
  - 7.2.2 in order to enforce or apply our service terms or any other contract between you and us;
  - 7.2.3 in order to protect our rights, property or safety or that of our customers, employees, contractors, dealers and agents and any other third party;
  - 7.2.4 in order to mitigate any actual or reasonably perceived risk to us, our users, clients, employees, service providers, contractors, agents or any other third party;
  - 7.2.5 to governmental agencies, exchanges and other regulatory or self-regulatory bodies if we are required to do so by law or if we reasonably believe that such action is necessary:
    - 7.2.5.1 to comply with the law or with any legal process;
    - 7.2.5.2 to protect and defend the rights, property or safety of us, our affiliates or our customers, employees, contractors and agents or any third party;
    - 7.2.5.3 to detect, prevent or deal with actual or alleged fraud, security or technical issues or the abuse, misuse or unauthorised use of our site and/or contravention of this Privacy Policy; and/or
    - 7.2.5.4 to protect the rights, property or safety of members of the public (if you provide false or deceptive information about yourself or misrepresent yourself as being someone else, we may proactively disclose such information to the appropriate regulatory bodies and/or commercial entities).
- 7.3 We may use your Personal Information to compile profiles for statistical purposes and may freely trade with such profiles and statistical data, provided that the profiles or statistical data cannot be linked back to you.

7.4 We will get your permission before disclosing your Personal Information to any third party for any other purpose.

## 8. Storage and transfer of your Personal Information

8.1 We store your Personal Information:

8.1.1 onsite in secure cabinets;

8.1.2 on our servers; or

8.1.3 on the servers of our third party service providers, such as IT systems or hosting service providers. In this event, we will ensure that we have entered into written contracts that require such third party service providers to secure the integrity and confidentiality of Personal Information in its possession by taking appropriate, reasonable technical and organisational measures.

8.2 From time to time, Hulisani and its service providers may need to transfer to and/or store your Personal Information on servers in a jurisdiction other than where it was collected, and we hereby notify you, and you acknowledge, that such jurisdiction may not have comparable data protection legislation.

8.3 If the jurisdiction to which Personal Information is transferred does not have laws which provide for the protection of Personal Information in a manner which is at least similar to the protections afforded under South African law, we will take reasonably practicable steps to ensure that your Personal Information is adequately protected in that jurisdiction.

## 9. Security

9.1 We take appropriate reasonable technical and organisational measures to secure the integrity of Personal Information, using accepted technological standards to prevent unauthorised access to or disclosure of your Personal Information, and protect your Personal Information from misuse, loss, alteration or destruction.

9.2 See paragraph 7.2.1 regarding measures to protect the information which is provided to others on a need-to-know basis.

9.3 We also create a back-up of your information for operational and safety purposes.

9.4 **Even by taking the above measures when Processing Personal Information, we do not guarantee that your Personal Information is 100% secure. Subject to the provisions of this clause 9.4, as far as the law allows, we will not be liable for any loss, claim and/or damage arising from any unauthorised access, disclosure, misuse, loss, alteration or destruction of Personal Information.**

**In this paragraph, you acknowledge that you know and you accept that technology is not absolutely secure and there is a risk that your Personal Information will not be secure when Processed by means of technology. We do not promise that we can keep your Personal Information completely secure. You will not be able to take action against us if you suffer losses or damages in these circumstances.**

## 10. Retention of your Personal Information

10.1 We may keep Personal Information for as long as you continue to access and use our Website or Services, for as long as reasonably necessary or until you contact us and ask us to destroy the retained information.

10.2 Notwithstanding paragraph 10.1 above and any other provision of this Privacy Policy, we may keep some or all of your Personal Information if and for as long as:

10.2.1 we are required by law, a code of conduct or a contract with you to keep it;



- 10.2.2 we reasonably need it for lawful purposes related to our functions and activities;
- 10.2.3 we reasonably need it for evidentiary purposes;
- 10.2.4 you agree to us keeping it for a specified further period; and/or
- 10.2.5 it is permitted by law.

## 11. Keeping your Personal Information updated and correct

- 11.1 Where required by law, we take reasonable steps to ensure that your Personal Information is accurate, complete, not misleading, and up to date.
- 11.2 We also acknowledge that you have the right to access, and the right to rectify, your Personal Information, and the right to object to the Processing of your Personal Information in certain circumstances. We hereby notify you of your rights in this regard.
- 11.3 You must let us know if any information we have about you is incorrect, incomplete, misleading or out of date, by notifying us at the contact details set out in paragraph 17. If you have already entered into a contractual relationship with us for the provision of one or more of our Services, you can at a later stage modify some of the Personal Information you have provided to us by sending an email to the following address [info@hulisani.co.za](mailto:info@hulisani.co.za), requesting rectification.
- 11.4 Where required by law, we will take reasonable steps to correct or update the relevant information accordingly having regard to the purpose for which the information was collected or used.

## 12. Changes to this Privacy Policy

To the extent allowed by law, this Privacy Policy may be updated or amended by us at any time in our sole discretion, without notice, provided that if we do so, we will post the revised Policy on our Website and take reasonably practicable steps to ensure that you are aware of the updated Privacy Policy. Accordingly, please check these terms for changes periodically. If you continue to use our Services after amendments are made and displayed, you will be deemed to have accepted these changes.

## 13. Third party sites

- 13.1 **To the extent allowed by law, we are not responsible for the privacy practices of a third party site to which there may be a link on our Website, or for any claims, loss or damage arising from these.**
- 13.2 We advise you to read the privacy policy of each site which you visit and to determine your privacy settings in accordance with your personal preferences.

**We are not liable if you suffer losses or damages when visiting third party websites by following a link to that website from our Website. You accept that there may be risks when you use such third party websites, and you do so at your own risk.**

## 14. How to protect your Personal Information

- 14.1 People have different privacy concerns. Our goal is to be clear about what information we collect so that you can make meaningful choices about what you make available. For example, you may:
  - 14.1.1 set your browser to block all cookies, including cookies associated with our Services, or to indicate when a cookie is being sent by us (see paragraphs 4.3.2 to 4.3.5 above);
  - 14.1.2 request us to indicate what Personal Information of yours we have on our systems;
  - 14.1.3 request us to correct or update your Personal Information (see paragraph 11) or to destroy or delete your Personal Information (subject to paragraph 10);

- 14.1.4 object to any unlawful processing of your Personal Information;
  - 14.1.5 request that your Personal Information is deleted if it is no longer required for the purposes for which it was collected or required by us in terms of any applicable law, subject to paragraph 10; or
  - 14.1.6 refuse the processing of your Personal Information for direct marketing purposes.
- 14.2 As far as the law allows, we may charge a fee for attending to any of your requests above and may also refuse to carry out any of your requests in whole or in part.

## 15. **Consumer Protection Act, Protection of Personal Information Act and other laws**

- 15.1 If this Privacy Policy or any provision in this Privacy Policy is regulated by or subject to the Consumer Protection Act, the Protection of Personal Information Act 4 of 2013 ("**POPIA**") or other laws, it is not intended that any provision of this Privacy Policy contravenes any provision of the Consumer Protection Act, POPIA or such other laws. Therefore, all provisions of this Privacy Policy must be treated as being qualified, to the extent necessary, to ensure that the provisions of the Consumer Protection Act, POPIA and such other laws are complied with.
- 15.2 No provision of this Privacy Policy:
- 15.2.1 does or purports to limit or exempt us from any liability (including, without limitation, for any loss directly or indirectly attributable to our gross negligence or wilful default or that of any other person acting for or controlled by us) to the extent that the law does not allow such a limitation or exemption;
  - 15.2.2 requires you to assume risk or liability for the kind of liability or loss, to the extent that the law does not allow such an assumption of risk or liability; or
  - 15.2.3 limits or excludes any warranties or obligations which are implied into this Privacy Policy by the Consumer Protection Act (to the extent applicable), POPIA (to the extent applicable), or other applicable laws or which we give under the Consumer Protection Act (to the extent applicable), POPIA (to the extent applicable), or other applicable laws, to the extent that the law does not allow them to be limited or excluded.

## 16. **General**

- 16.1 You agree that this Privacy Policy, our relationship and any dispute of whatsoever nature relating to or arising out of this Privacy Policy whether directly or indirectly, shall be governed by the laws of the Republic of South Africa without giving effect to any principle of conflict of laws.
- 16.2 You agree that we may, at any time, transfer, cede, delegate or assign any or all of our rights and obligations under this Privacy Policy without your consent. We will notify you if we transfer, cede, delegate or assign any rights or obligations to a third party, but we do not have to notify you if we transfer, cede, delegate or assign any rights or obligations to any of our affiliates or to any person which acquires all or part of our business and/or assets. We may also sub-contract our obligations without your consent and we do not have to notify you if we sub-contract any of our obligations.
- 16.3 Subject to 16.2, this Privacy Policy shall apply for the benefit of and be binding on each party's successors and assigns.
- 16.4 Our failure to exercise or enforce any right or provision of this Privacy Policy shall not constitute a waiver of such right or provision.
- 16.5 Each provision of this Privacy Policy, and each part of any provision, is removable and detachable from the others. As far as the law allows, if any provision of this Privacy Policy, or part of a provision, is found by a court or authority of competent jurisdiction to be invalid, illegal or unenforceable (including, without limitation, because such provision is inconsistent with the



laws of another jurisdiction), it must be treated as if it was not included in this Privacy Policy and the rest of this Privacy Policy will still be valid and enforceable.

17. **Queries**

17.1 If you have questions about our Privacy Policy, please contact us at 0878062425

17.2 You have a right to lodge a complaint to the Information Regulator complaints.IR@justice.gov.za for any contravention of POPIA and for general enquires, email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za).