

Privacy notice

Effective Date: 13 december 2022



1. Introduction

[Soly South Africa (Pty) Ltd] (“**Soly**”, “**we**”, “**us**”, “**our**”) takes the protection of personally identifiable information (“**Personal Data**”) of the individuals and legal entities (“Data Subjects”, “**you**”, “**your**”) who visit our Website and use our Services very seriously.

Please read this Privacy Notice (the “**Notice**”) to learn more about the way we collect, store, and use Personal Data. This Notice also provides you with more information on the privacy rights you may have under applicable privacy laws, including the Protection of Personal Information Act, 4 of 2013 (the “**POPIA**”).

2. What is covered by this notice

This Notice addresses Data Subjects whose Personal Data we may receive through our website (www.soly.co.za) (the “**Website**”) or through the course of marketing and selling our product and services to you (the “**Services**”).

This Notice DOES NOT apply to Personal Data collected by any other means or in a different context, such as Personal Data of our own employees, contractors, or officers.

This Notice DOES NOT apply to information we maintain in a manner that cannot reasonably identify, relate to, describe, be capable of being associated with, or be linked, directly or indirectly, with a particular individual, and such information is not considered Personal Data.

3. Our controllership role

Within the scope of this Notice, Soly acts as a responsible party as defined in the POPIA (also known as a “data controller”) for the Personal Data we process. This means that we decide how and why your Personal Data is collected and processed.

4. Basis of processing

We may process your Personal Data on the basis of:

- your consent;
- the need to perform a contract that we entered into with you;
- our legitimate interests, such as our interest in marketing and selling our Services;
- our obligation to comply with applicable law; or
- any other ground, as required or permitted by applicable law.

Where we process your Personal Data based on your consent, you may withdraw your consent at any time. However, this will not affect the lawfulness of our processing before your withdrawal of consent. It will also not affect our processing performed on any other lawful ground.

If we receive your Personal Data as part of providing our Services to you based on a contract, we require certain Personal Data to be able to carry out the contract. Without that necessary Personal Data, we will not be able to provide the Services to you.

5. How we receive personal data

We may collect or otherwise receive your Personal Data when:

- you visit and interact with our Website, including creating an online account via the Website;
- you provide it to us directly as a client or prospective client, including by way of contacting us via telephone, email, mail, or a contact form on our Website;
- you click on one of our advertisements or social media posts or open one of our emails;
- we receive it from other companies within the Soly corporate group; or
- we obtain it from publicly available sources, such as publicly accessible websites, including social media pages or corporate, government, or professional websites.

6. Categories of personal data

We may process the following types of Personal Data in connection with our Website and Services:

- basic identifying information, such as your name, surname, and national identification number.
- in the case of a legal entity, basic identifying information, such as your entity's name, type, and registration number;
- contact information, such as your email address, postal address, phone number, and fax number;
- billing information, such as bank account information;
- identifiers and device information, such as your IP address and associated location, device ID, operating system, and website navigational information, such as information about your interaction with the Website; and
- any other Personal Data you may provide to us via the Website.

7. Purposes of processing

We may process your Personal Data for the purposes of:

- providing you with access to our Website;
- managing our relationship with you;
- selling and supporting our Services to you;
- responding to your requests and questions;
- sending you marketing communications about our business that you have expressed interest in, or which we think may interest you;
- collecting payment for our Services;
- measuring and improving our Website, Services, and marketing initiatives;
- and
- enforcing our legal obligations and complying with applicable laws and regulations.

8. Retention of personal data

We will aim to keep the Personal Data we collect as accurate, complete, and up-to-date as is necessary for the purposes in this Notice.

We will only retain Personal Data for as long as it is necessary to fulfil the purpose for which it was collected and for as long as that purpose continues unless otherwise required by law.



9. SHARING OF PERSONAL DATA

We will keep your Personal Data confidential and only share it with service providers who perform certain services on our behalf. We share your Personal Data solely for the service providers to perform services for us. All these service providers have a contractual obligation to secure your Personal Data and to use it only in a way that we permit.

These service providers include, but are not limited to, those who provide:

- website hosting services;
- cloud storage services;
- email services;
- accounting services;
- banking services; and
- customer relationship management services.

Some of these service providers may be located outside of South Africa (“**Third Countries**”). In some cases, the authorities in South Africa responsible for data protection may not have determined that the data protection laws in the countries where our service providers are located provide a level of protection equivalent to the laws in South Africa.

Where Personal Data is transferred to such Third Country recipients, we make sure that appropriate safeguards are in place to provide for adequate protection of your Personal Data.

For example, where Personal Data is transferred outside of South Africa, your Personal Data will only be transferred to Third Countries: (i) which have similar data privacy laws in place; (ii) where the recipient of the Personal Data concludes an agreement with Soly which obliges the recipient to comply with strict confidentiality and data security conditions and which, in particular, are no less than the standard required by the POPIA; or (iii) in compliance with any other lawful transfer mechanism as provided for in the POPIA.

Please note that we may also disclose your Personal Data:

- to the extent required by law or if we have a good-faith belief that such disclosure is necessary in order to comply with official investigations or legal proceedings initiated by the government and/or law enforcement officials or private parties, including but not limited to a response to subpoenas, search warrants, or court orders;



- if we sell or transfer all or a portion of our company's business interests, assets, or both, or in connection with a corporate merger, consolidation, restructuring, or other company change; or
- to our subsidiaries or affiliates, only if necessary for business and operation purposes.

If we must disclose your Personal Data in order to comply with official investigations or legal proceedings initiated by the government and/or law enforcement, we may not be able to ensure that such recipients of your Personal Data will maintain the privacy and security of your Personal Data.

10. Cookies

A “cookie” is a small file stored on your device that contains information about your device. For more information about the cookies we use, please refer to our Cookie Notice, which forms part of this Notice.

11. Data integrity and security

Soly has implemented and will maintain technical, administrative, and physical measures that are reasonably designed to help protect Personal Data from unauthorized processing, such as unauthorized access, disclosure, alteration, or destruction.

12. Links to other websites

This Website may include links to other affiliated and unaffiliated websites. Those websites will have their own privacy policies that you may wish to review. We have no responsibility for unaffiliated linked websites or any use of those sites and their privacy practices. This Website may also contain links to our presence on various social media platforms. As we do not operate or control such platforms, this Notice does not apply to your use of such platforms.

13. Your rights as a data subject

If you are a Data Subject about whom we store Personal Data, you have certain data protection rights under applicable privacy laws. We may need to confirm your identity in order to process your request.

Your privacy rights include:

- **The right to be informed** – You have the right to obtain from us all information regarding our data processing activities that concerns you, such as how we collect and use your Personal Information, how long we keep it, and with whom it will be shared with, among other things. We are informing you of how we process your Personal Data with this Notice.
- **The right to access** – You can ask us to confirm whether or not we process Personal Data concerning you, and, where that is the case, obtain copies of your Personal Data.
- **The right to correction** – You can ask us to correct or update inaccurate Personal Data concerning you.
- **The right to deletion** – You can ask us to erase your Personal Data in certain circumstances. We will always strive to fulfil your request. However, in certain circumstances, we may not be able to delete your Personal Data due to our obligation to maintain your Personal Data pursuant to a legal obligation. If that is the case, we will consider if there are means to limit how we use your Personal Data.
- **The right to withdraw consent** – You can also withdraw your consent, where consent is the legal basis for processing your Personal Data.
- **The right to object to processing** – You have the right to object to the processing of your Personal Data in circumstances where we rely on our legitimate interest to process your Personal Data. You also have the right to object, at any time, to the processing of your Personal Data for direct marketing purposes.
- **The right to restrict processing** – You have the ask us to only use or store your Personal Data for certain purposes. You have this right on certain occasions, such as when you believe the Personal Data is inaccurate or the processing activity is unlawful. This right enables you to ask us to suspend the usage of Personal Data about you, for example, if you want us to establish its accuracy or the reason for processing it.
- **The right to complain to a supervisory authority** – You can complain about our processing of your Personal Data to the relevant data protection authority.

These rights are subject to certain limitations and exceptions.

To exercise any of the rights described above, please contact our Information Officer using the contact details in Section 14 below.



Should you feel unsatisfied with our handling of your Personal Data, or about any complaint you have made to us, you have the right to lodge a complaint to the South African Information Regulator.

14. Contact us

If you have any questions or concerns about our data privacy practices or the contents of this Notice, or if you would like to exercise your privacy rights, please write to us at info@soly.co.za or by postal mail at:

Cape Town:

The Estuaries, Block F
Oxbow Lane,
Century City
7446

Johannesburg:

410 Jan Smuts Avenue,
Unit 14 Burnside Island
Craighall Park
2196

15. Updates to this notice

If we make any material changes to this Notice, we will post the revised Notice to this Website. We will also update the “effective date” accordingly.

