

The City of Cape Town ("CCT")

PRIVACY POLICY

THIS CCT'S PRIVACY POLICY ("PRIVACY POLICY") APPLIES TO HOW WE COLLECT, USE AND PROCESS YOUR PERSONAL INFORMATION AND SPECIAL PERSONAL INFORMATION. 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 THIS PRIVACY POLICY

1.1 Introduction and scope

1.1.1 CCT or "we" or "us" or "our" is a municipal government operating in city of Cape Town, Republic of South Africa, with our head offices located at 12 Hertzog Boulevard, Cape Town, 8001. CCT is the responsible party (or controller, in some jurisdictions) of your Personal Information (as defined in clause 3.1 below) and Special Personal Information (as defined in clause 1.2.2 below).

1.1.2 CCT strives to ensure that our use of your Personal Information and Special Personal Information is lawful, reasonable, and relevant to our activities, with the ultimate goal of improving our products and services and your experience.

1.1.3 We have appointed an Information Officer who is responsible for overseeing questions in relation to this Privacy Policy. You may contact our Information Officer at City.Manager@capetown.gov.za to discuss this Privacy Policy or your rights under data protection laws that are applicable to you.

1.1.4 This Privacy Policy describes how we will treat your Personal Information and Special Personal Information, whether provided by you to us, or collected by us through other means in your ordinary use of our products and services, which includes access to our website ("**the Website**").

1.1.5 This Privacy Policy must be read together with the Website terms of use accessible at <https://www.capetown.gov.za/General/Terms-of-use> (the "**Terms**") and any other documents,

agreements, or terms between CCT and you (the "**Agreements**") that describe the manner in which we, in specific circumstances, collect or process Personal information and/or Special Personal Information about you. This will enable you to understand the manner in which CCT will process your Personal Information and Special Personal Information. This Privacy Policy supplements the Terms and Agreements, but does not supersede them and in the event of any conflict, ambiguity or inconsistency between this Privacy Policy, the Terms and/or the Agreements the documents shall be construed in the following order of priority:

1.1.5.1 this Privacy Policy;

1.1.5.2 the Terms; and

1.1.5.3 the Agreements.

1.2 **Your consent to the processing of your Personal Information and Special Personal Information**

1.2.1 **By agreeing to this Privacy Policy, you provide us with your express permission** and agreement to 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 We hereby notify you that when using this Website, we will also be collecting certain special personal information about you. "**Special Personal Information**" refers to details about your religious and philosophical beliefs, race, ethnic origin, trade union membership, political persuasion, health, sex life, biometric information and information about your criminal offences or convictions.

1.2.3 **By agreeing to this Privacy Policy, you also provide us with your express permission** and agreement to process your Special Personal Information.

1.2.4 **If you do not agree with this Privacy Policy, or you are concerned about any aspect as it relates to your Personal Information and/or your Special Personal Information, please do not continue to use this Website or our products and services.**

In the clause above, you expressly give your permission to us to process your Personal Information and your Special 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.

- 1.2.5 We may, where permitted or required to do so by applicable law, process your Personal Information and your Special Personal Information without your knowledge or permission, and will do so in accordance with the further provisions of this Privacy Policy.

2. WHAT DOES THIS PRIVACY POLICY APPLY TO?

- 2.1 This Privacy Policy applies to the processing by us or on our behalf, and our successors-in-title, of the Personal Information and Special Personal Information relating to you, being a user who accesses and/or uses this Website or our products and services regardless of the device which you use to access it, which device is capable of using, or enabled to use, the Website including, but not limited to, internet-connected mobile devices and tablets ("**Access Device**").
- 2.2 This Privacy Policy does not apply to the processing of Personal Information and/or Special 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 the Website or through our products and services, or sites which link to or advertise the Website.

3. WHAT IS PERSONAL INFORMATION?

- 3.1 "**Personal Information**" refers to your private information. Personal Information does not include information that does not identify you (including in instances where that information has been anonymised). The Personal Information that we collect about you may differ on the basis of the products and services that you receive from CCT.
- 3.2 We may process various types of Personal Information about you, as follows:
- 3.2.1 **Identity Information**, which includes information concerning your name, username or similar identifier, marital status, title, date of birth, gender, race and legal status, as well as copies of your identity documents, photographs, identity number, registration number, your qualifications, and your job title;
- 3.2.2 **Contact Information**, which includes your billing addresses, delivery addresses, e-mail addresses and telephone numbers;
- 3.2.3 **Financial Information**, which includes bank account and payment card details, insurance information, financial statements and VAT registration numbers;
- 3.2.4 **Transaction Information**, which includes details about payments made to or received from you and company information, which may consist of financial activity;
- 3.2.5 **Technical Information**, which includes your internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions,

operating system and platform, and other technology on the devices you use to access the Website;

3.2.6 **Profile Information**, which includes your username and password, purchases or orders made by you, your interests, preference, feedback and survey responses;

3.2.7 **Usage Information**, which includes information as to your access to and use of the Website, such as what links you went to, what content you accessed, the amount of content viewed and the order of that content, as well as the amount of time spent on the specific content and what products and services you access on the Website or are provided by CCT;

3.2.8 **Location Information**, which includes geographical information from your Access Device (which is usually based on the GPS or IP location); and

3.2.9 **Marketing and Communications Information**, which includes your preferences in respect of receiving marketing information from us and our third parties, and your communication preferences.

3.3 CCT may also process, collect, store and/or use aggregated data, which may include historical or statistical data ("**Aggregated Data**") for any purpose. Aggregated Data may be derived from your Personal Information but is not considered Personal Information, as this data does **not** directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your Personal Information in a manner that has the result that it can directly or indirectly identify you, we will treat the combined data as Personal Information, which will be managed in accordance with this Privacy Policy.

4. **HOW WE COLLECT YOUR PERSONAL INFORMATION AND SPECIAL PERSONAL INFORMATION**

4.1 **We collect your Personal Information and Special Personal Information in three ways, namely:**

4.1.1 through direct or active interactions with you;

4.1.2 through automated or passive interactions with you; and

4.1.3 from third parties and public sources.

4.2 **Direct or active collection from you**

4.2.1 We may require that you submit certain information:

4.2.1.1 for the sale and supply of our products and services;

4.2.1.2 to improve our products and services;

- 4.2.1.3 to market products and services to constituents;
 - 4.2.1.4 to comply with statutory obligations, including but limited to the Municipal Systems Act 32 of 2000;
 - 4.2.1.5 for internal record keeping;
 - 4.2.1.6 for customer relations purposes;
 - 4.2.1.7 to conduct research;
 - 4.2.1.8 for security, administrative and legal purposes;
 - 4.2.1.9 to fulfil our contractual obligations; and
 - 4.2.1.10 to periodically send you news updates or other information that we think you may find interesting.
- 4.2.2 We also collect Personal Information and Special Personal Information directly from you when you communicate directly with us, for example via e-mail, telephone calls, feedback forms, site comments or forums.
- 4.2.3 If you contact us, we reserve the right to retain a record of that correspondence, which may include Personal Information and Special Personal Information.
- 4.2.4 The Personal Information and Special Personal Information that we actively collect from you may include any of the Personal Information listed in clause 3.1 of this Privacy Policy and/or any of the Special Personal Information listed in clause 1.2.2 of this Privacy Policy.
- 4.3 **Passive collection from your Access Device**
- 4.3.1 We may passively collect certain of your Personal Information and Special Personal Information from the Access Device that you use to access and navigate the Website, by way of various technological applications, 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 the Website to distinguish you from other users and to improve our service to you, and which can be used to enhance the content of the 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 the Website and

which is stored in your web browser. When you visit the 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 the Website.

4.3.5 The Personal Information and Special Personal Information that we passively collect from your Access Device may include your Identity Information, your Contact Information, your Technical Information, your Profile Information, your Usage Information, your Location Information and your Marketing and Communications Information, or any other Personal Information and Special Personal Information which you permit us, from time to time, to passively collect from your Access Device.

4.4 **Personal Information and Special Personal Information] collected from third parties and public sources**

4.4.1 CCT receives Personal Information and Special Personal Information about you from various third parties and public sources, including:

4.4.1.1 third party service providers;

4.4.1.2 Google and other similar search engines;

4.4.1.3 advertising networks; and

4.4.1.4 search information providers.

Refer to ALL the clauses in CCT Privacy Policy concerning the management of Personal information (PI) in the City

This is an example from LIS

We (Library Services) obtain PI from, including:

- From you
- Your use of our services or channels (App, ILMS, Website etc.)
- How you interact or engage with us (telephone, letters, email, social media, etc.)
- Third parties, e.g., partners, spouses, friends, family, neighbours (People whom you permit to have your PI)

Examples of Library Services Activities where PI and 3rd party PI is required or collected includes the following but is not limited to:

a) Service Registration (Adults and Children) to make use of our services and online services such as:

Borrowing library material and the associated services linked to **library user accounts** when becoming a member. By accepting membership T&C the data subject / you grant permission for PI to be processed to access these services and online services.

PI of 3rd parties is required when registering (reference contact details). By providing this information the Data subject / you acknowledge that you have the required permission of the 3rd party to provide this information

b) Volunteering

c) Taking part OR engaging in Library and /or City activities and programmes that requires some form of PI in the registration process

Children: (Clause 14 – CCT Privacy Policy)

Consent from a guardian or parent is required for processing of PI of Children under the age of 18. When a Parent or Guardian agrees to the terms and conditions of the Library Service in order for the child to become a member and to access associated online services the Parent or Guardian acknowledges that permission has been granted for processing the child's PI.

Examples of when we will use your PI is, but is not limited to:

- To engage with you (telephone, email etc.)
- To make or set automated decisions (send reminder notices via our ILMS etc.)

For examples of when we may share your PI

- Refer to **Clause 7** in the CCT Privacy Policy

5. HOW WE USE YOUR PERSONAL INFORMATION AND SPECIAL PERSONAL INFORMATION

5.1 We use the Personal Information and Special Personal Information we collect from you to maintain and improve the Website and to improve the experience of our users (including by requesting

feedback from our users on our products and services) and to facilitate the provision of our services and products.

5.2 We may also use your Personal Information and Special Personal Information:

- 5.2.1 to retain and make information available to you on the Website;
- 5.2.2 to create your user account and ensure that it does not duplicate an existing user account on the Website and allow use of the Website;
- 5.2.3 to maintain and update our constituent, or members of the public, databases;
- 5.2.4 to establish and verify your identity on the Website;
- 5.2.5 operate, administer, secure and develop the Website and the performance and functionality of the Website;
- 5.2.6 to detect, prevent or manage actual or alleged fraud, security breaches or the abuse, misuse or unauthorised use of the Website and/or contraventions of this Privacy Policy and/or the Terms and/or the Agreements;
- 5.2.7 to inform you about any changes to the Website, this Privacy Policy or other changes that are relevant to you;
- 5.2.8 to create user profiles, compile and use statistical information (including non-personal information) about you and other users and their access to the Website and to analyse and compare how you and other users make use of the Website, including (without limitation) their browsing habits, click-patterns, preferences, frequency and times of use, trends and demographic information including recommendations to users and tailoring information and content for users;
- 5.2.9 to conduct market research surveys and product research and development;
- 5.2.10 to offer you information and content which is more appropriately tailored for you as far as reasonably possible;
- 5.2.11 to provide you with the latest information about our products and services, provided that you have agreed to receive such information;
- 5.2.12 for security, administrative and legal purposes;
- 5.2.13 for customer relations purposes;

- 5.2.14 to communicate with you and retain a record of our communications with you and your communications with us;
 - 5.2.15 to fulfil any contractual or statutory obligations that we may have to you or any third party
 - 5.2.16 subject to clauses 4.3.2 to 4.3.4, to provide you with online personalised services and targeted advertising, including through the use of cookies;
 - 5.2.17 to analyse and compare the types of Access Devices that you and other users make use of and your physical location; and
 - 5.2.18 for other activities and/or purposes which are lawful, reasonable and adequate, relevant and not excessive in relation to the sale of our products and the provision of our services and/or the use of the Website, our activities or such other purpose for which it was collected.
- 5.3 CCT will obtain your permission before collecting or using your Personal Information and Special Personal Information for any other purpose.

6. **COMPULSORY PERSONAL INFORMATION AND CONSEQUENCES OF NOT SHARING WITH US**

6.1 Only the following information is compulsory Personal Information:

6.1.1 your name and surname; and

6.1.2 your contact details, such as your email address and/or your telephone number. .

6.2 Depending on the nature of your engagement or relationship with us, other types of Personal Information may be necessary, including:

6.2.1 financial (including bank account details, tax information);

6.2.2 names and registration numbers as contained in documents issued by the Companies and Intellectual Property Commission and the South African Revenue Service; and

6.2.3 information which may be necessary to ensure our compliance with legislation.

6.3 All other Personal Information is optional. If you do not agree to share the above-mentioned compulsory Personal Information with us, then you will not be able to make full use of the features that are offered to users, including products and services which are available on the Website. 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 the Website, including certain content and products and services.

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

7. SHARING OF YOUR PERSONAL INFORMATION AND SPECIAL PERSONAL INFORMATION

7.1 We will not intentionally disclose your Personal Information and Special Personal Information, whether for commercial gain or otherwise, other than with your permission, as permitted by applicable law or in the manner as set out in this Privacy Policy.

7.2 You agree and give permission for us to share your Personal Information and Special Personal Information under the following circumstances:

7.2.1 with our agents, advisers, service providers and suppliers that have agreed to be bound by this Privacy Policy or similar terms, which offer the same level of protection as this Privacy Policy;

7.2.2 with our employees, suppliers, service providers, contractors and agents if and to the extent that they require such Personal Information and Special Personal Information in or to process it for us and/or in the provision of services for or to us, which include hosting, development and administration, technical support and other support services relating to the Website or the operation of CCT's activities. We will authorise any Personal Information and Special Personal Information processing done by a third party on our behalf, amongst other things 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;

7.2.3 to enable us to enforce or apply our Terms and any Agreement;

7.2.4 to protect our rights, property or safety or that of members of the public, employees, contractors, suppliers, service providers, agents and any other third party;

7.2.5 to mitigate any actual or reasonably perceived risk to us, members of the public, employees, contractors, agents or any other third party;

7.2.6 with governmental agencies and other regulatory or self-regulatory bodies, if required to do so by law or we reasonably believe that such action is necessary to:

7.2.6.1 comply with the law or with any legal process;

- 7.2.6.2 protect and defend the rights, property or safety of CCT, or members of the public , employees, contractors, suppliers, service providers, agents or any third party;
- 7.2.6.3 detect, prevent or manage actual or alleged fraud, security breaches, technical issues, or the abuse, misuse or unauthorised use of the Website and/or contraventions of this Privacy Policy; and/or
- 7.2.6.4 protect the rights, property or safety of members of the public (if you provide false or deceptive information or misrepresent yourself, we may proactively disclose such information to the appropriate regulatory bodies and/or commercial entities).

7.3 We will get your permission before disclosing your Personal Information and/or Special Personal Information to any third party for any other purpose.

8. **STORAGE AND TRANSFER OF YOUR PERSONAL INFORMATION AND SPECIAL PERSONAL INFORMATION**

8.1 We store your Personal Information and Special Personal Information on:

8.1.1 our servers; or

8.1.2 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 agreements with those third party service providers governing our relationship with them that require them to secure the integrity and confidentiality of Personal Information and Special Personal Information in its possession by taking appropriate, reasonable technical and organisational measures.

8.2 From time to time, CCT and its service providers may need to transfer to and/or store your Personal Information and Special Personal Information on servers in a jurisdiction other than where it was collected (i.e. outside of South Africa) and we hereby notify you that such jurisdiction may not have comparable data protection legislation.

8.3 If the location to which Personal Information and Special Personal Information is transferred and/or is stored does not have substantially similar laws to those of South Africa, which provide for the protection of Personal Information and Special Personal Information, we will take reasonably practicable steps, including the imposition of appropriate contractual terms to ensure that your Personal Information and Special Personal Information is adequately protected in that jurisdiction.

8.4 Please contact us if you require further information as to the specific mechanisms used by us when transferring your Personal Information and Special Personal Information outside of South Africa or to a jurisdiction that is different to the one in which we collected your Personal Information and Special Personal Information.

9. **SECURITY**

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

9.2 We review our information collection, storage and processing practices, including physical security measures periodically, to ensure that we keep abreast of good practice.

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

9.4 **Despite the above measures being taken when processing Personal Information and Special Personal Information, we do not guarantee that your Personal Information and Special 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 your Personal Information and/or Special Personal Information.**

9.5 CCT has implemented procedures to address actual and suspected data breaches and undertakes to notify you and the relevant regulatory authorities of breaches in instances in which CCT is legally required to do so and within the period in which such notification is necessary.

In this clause, you acknowledge that you know and you accept that technology is not absolutely secure and there is a risk that your Personal Information and Special Personal Information will not be secure when processed by means of technology. We do not promise that we can keep your Personal Information and Special 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 AND SPECIAL PERSONAL INFORMATION**

10.1 We may keep your Personal Information and Special Personal Information for as long as you continue to access the Website, content and/or our products and services or for as long as reasonably necessary or until you contact us and ask us to destroy it

10.2 Notwithstanding clause 10.1 above and any other clause in this Privacy Policy, we may retain and process some or all of your Personal Information and Special Personal Information if and for as long as:

10.2.1 we are required or permitted by law, a code of conduct or a contract with you to do so;

10.2.2 we reasonably need it for lawful purposes related to the performance of our functions and activities;

10.2.3 we reasonably require it for evidentiary purposes; or

10.2.4 you agree to us retaining it for a specified further period.

11. **MAINTENANCE OF YOUR PERSONAL INFORMATION AND SPECIAL PERSONAL INFORMATION**

11.1 Where required by law, CCT will take all reasonable steps to ensure that your Personal Information and Special Personal Information is accurate, complete, not misleading and up to date.

11.2 We also acknowledge that you may have rights of access to, and the right to rectify, your Personal Information and Special Personal Information, and rights to object to the processing of your Personal Information and Special Personal Information in certain circumstances (clause 12 below contains further information about these rights).

11.3 You must let us know if any of the Personal Information and/or Special Personal Information that we have about you is incorrect, incomplete, misleading or out of date, by notifying us at the contact details set out in clause 1.1.3 above. If you have already registered for a products and services or to use the Website in some other way, you can at a later stage modify some of the Personal Information and Special Personal Information that you have included in your profile by submitting to the Information Officer at City.Manager@capetown.gov.za the form annexed hereto as Annexe A.

11.4 Where required by law, we will take reasonable steps to correct or update your Personal Information and Special Personal Information accordingly, having regard to the purpose for which such Personal Information and Special Personal Information was collected or used.

12. HOW TO PROTECT YOUR PERSONAL INFORMATION AND SPECIAL PERSONAL INFORMATION

12.1 Data protection laws may confer certain rights on you in respect of your Personal Information and Special Personal Information. We aim to be clear about what Personal Information and Special Personal Information we collect so that you can make meaningful choices about what Personal Information and Special Personal Information you make available to us. You may, for example:

12.1.1 **block all cookies**, by setting your browser to do so, including cookies associated with our products and services or to indicate when a cookie is being sent by us;

12.1.2 **request access to your Personal Information and Special Personal Information** (commonly known as a “data subject access request”), which indicates what Personal Information and Special Personal Information we have about you;

12.1.3 **request the correction of your Personal Information and Special Personal Information**, in order to ensure that any incomplete or inaccurate Personal Information and Special Personal Information is corrected;

12.1.4 **request erasure of your Personal Information and Special Personal Information**, where there is no lawful basis for the retention or continued processing of it;

12.1.5 **object to the processing of your Personal Information and Special Personal Information for a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms;**

12.1.6 **request restriction of processing of your Personal Information and Special Personal Information.** This enables you to ask CCT to suspend the processing of your Personal Information and Special Personal Information in limited circumstances;

12.1.7 **withdraw permission which you previously gave to the processing of your Personal Information and Special Personal Information at any time.** This withdrawal of permission will not affect the lawfulness of any processing which was carried out before your notice of withdrawal. Withdrawal of permission may limit our ability to provide certain products and services to you or the ability of a third party to provide certain products or services to you, but will not affect the continued processing of your Personal Information and Special Personal Information in instances in which your permission is not required.

12.2 As far as the law allows, we may charge a fee for attending to any of the above requests, and may also refuse to carry out any of your requests in whole or in part.

13. **CHANGES TO THIS PRIVACY POLICY**

To the extent allowed by the law, this Privacy Policy may be amended and updated from time to time in our sole discretion, without notice, provided that if we do so, we will post the revised policy on the Website and we will take reasonably practicable steps to inform you of the updated Privacy Policy. Accordingly, please check this Privacy Policy for changes periodically. If you continue to access or use the Website and/or products and services after amendments are made to the Privacy Policy and displayed on this Website, you will be deemed to have accepted the updated Privacy Policy.

14. **CHILDREN**

The Website and CCT's services are targeted at people over and under the age of 18. If you are under the age of 18, **you will not be allowed to use this Website without the permission of your parent or legal guardian. By using this Website, you confirm that your parent or legal guardian has provided you with their express permission. IF YOU DO NOT HAVE PERMISSION FROM YOUR PARENT OR LEGAL GUARDIAN, PLEASE IMMEDIATELY STOP USING THIS WEBSITE.**

DIRECT MARKETING

14.1 When you register to use the Website, you agree to receive marketing communication from us.

14.2 You may refuse to accept, require us to discontinue, or pre-emptively block any approach or communication from us if that approach or communication is primarily for the purpose of direct marketing ("**direct marketing communications**").

14.3 You may opt out of receiving direct marketing communication from us at any time by requesting us (in any manner, whether telephonically, electronically, in writing or in person) to stop providing any direct marketing communication to you.

14.4 You may, in terms of the Consumer Protection Act, 2008 (the "**Consumer Protection Act**"), register a pre-emptive block against direct marketing communications. If you do so, we will not send you direct marketing communications unless you have expressly requested or consented to receiving direct marketing communications from us.

15. **THIRD PARTY SITES**

15.1 This Privacy Policy does not apply to the websites of any other parties, or the applications, products or services such websites advertise and which may be linked to this Website, or websites that link to or advertise this Website.

15.2 **To the extent allowed by law, we are not responsible for the privacy practices of such third party websites, or for any claims, loss or damage arising from these.**

- 15.3 We advise you to read the privacy policy of each third party website and decide whether you agree to their privacy practices and policies, as these third party websites may also be collecting or sharing your Personal Information and Special Personal Information.

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

16. CONSUMER PROTECTION ACT, PROTECTION OF PERSONAL INFORMATION ACT AND OTHER LAWS

- 16.1 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, 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.

- 16.2 No provision of this Privacy Policy:

- 16.2.1 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;

- 16.2.2 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

- 16.2.3 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.

17. GENERAL

- 17.1 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 is governed by South African law, without giving effect to any principle of conflict of laws.

- 17.2 We may sub-contract our obligations without your permission and we do not have to notify you if we sub-contract any of our obligations.

17.3 Subject to clause 18.2, this Privacy Policy shall apply for the benefit of and be binding on each party's successors and assigns.

17.4 Our failure to exercise or enforce any right or provision of this Privacy Policy shall not constitute a waiver of such right or provision.

17.5 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 (or part of a provision) of this Privacy Policy is found by a court or authority of competent jurisdiction to be illegal, invalid or unenforceable (including without limitation, because it is not consistent with the law 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.

18. QUERIES AND CONTACT DETAILS OF THE INFORMATION REGULATOR

18.1 Should you feel that your rights in respect of your Personal Information and/or Special Personal Information have been infringed, please address your concerns to the Information Officer. If you feel that the attempts by CCT to resolve the matter have been inadequate, you may lodge a complaint with the South African Information Regulator by accessing their website at www.justice.gov.za/infoereg. If you are located outside of South Africa, you may contact the appropriate regulator in your country of domicile.

Correction and Deletion of Personal Information Form

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
Contact number(s):	
Fax number/E-mail address:	
	Code ()
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
Contact number(s):	
	Code ()

Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTRUCTED/ DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i>

Signed at this day of20.....

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Signature of data subject/ designated person