

## **Client information processing notice**

### **Your Personal Information**

Whyfriday will have to process certain Personal Information which belongs to you/the Data Subject.

Whyfriday would therefore like to tell you why we need your Personal Information and what we will be doing with it.

This is a legal requirement under a data privacy law known as the Protection of Personal Information Act, 4 of 2013, referred to as POPIA.

POPIA regulates and controls the processing of a person or legal entity's Personal Information, including the collection, use, and transfer of one's Personal Information. In terms of POPIA, where a Responsible Party (in this case being Whyfriday and its authorised Service Providers), processes another person's Personal Information, known as a Data Subject, the Responsible Party has a legal duty to process that Data Subject's Personal Information in a lawful, legitimate and responsible manner and in accordance with the provisions of POPIA read together with the core processing conditions set out under POPIA and other universal data privacy laws, such as the General Data Protection Regulation applicable in the EU, which is known as the GDPR.

In terms of POPIA, Whyfriday has a legal duty to provide you/the Data Subject with a Processing notice which sets out what it will be doing with your/the Data Subject's Personal Information.

### **Purpose:**

#### **Whyfriday will process your Personal Information for the following purposes**

- to provide you with details in respect of Whyfriday products and services
- to ensure that you or Whyfriday's legitimate interest(s) are protected and accounted for
- to comply with a variety of laws and lawful obligations and procedures, internal and external to the Whyfriday environment relating to the sale and provision of Whyfriday products and services
- to perform any required Whyfriday risk assessments and risk profiling
- to communicate with you and attending to your enquiries and requests
- to conduct research, or other such processing for statistical and/or analytical purposes, including data analysis, testing, research and product development and product review processes
- to pursue, negotiate or conclude any transaction with you, in respect of Whyfriday products and services and perform any act or obligation or exercise any right as anticipated, envisaged or described which are entered into pursuant to such transaction
- provide you with an on-going service, such as services/maintenance/updates to websites/marketing activities amongst others, including sending you reminders and updates with regards to Whyfriday products or services

- Attending to all financial matters such as invoicing, sending receipts/ statements, processing refunds, bank confirmations and due diligence checks, forecasting, budgeting, contract management, deliveries and generally providing commercial support and/or communications, where needed, requested, or required
- For the purposes of any proposed sale of a service to you/the Data Subject, any Whyfriday services and/or products, providing your/the Data Subject's Personal Information to third parties in connection with the evaluation of the transaction and related due diligence procedures to administer and manage the Whyfriday information systems which house your Personal details, and the related security thereof
- to manage safety and security and to pursue your/the Data Subject's and/ or Whyfriday's legitimate interests, or that of a third party to whom the Personal Information is supplied
- to place your images on the Whyfriday website
- to consider, obtain and keep records of your/the Data, financial history and performance, and other required credentials of a personal nature, which Whyfriday may deem necessary or where required by law or Whyfriday policy and which are related to the sale and provision of the Whyfriday products and services
- to provide you with ongoing customer relationship management services (CRM), marketing and advertising services, including keeping you/the Data Subject up to date about Whyfriday products, services and activities, customer surveys, special offers and promotions, offers of free gifts and vouchers, and inviting you to enter Whyfriday promotions and campaigns.

**To perform the above, Whyfriday will collect the following Personal Information**

Your or your employer or organization's contact information, such as:

- name
- alias
- address
- identity number
- passport number
- phone number
- cell phone number
- email address
- and similar contact data
- serial numbers of equipment
- and other contact information including details of your employer, memberships, or affiliations, such as the name of your employer or organization that you are a member of, and similar data, which are required for various legitimate interest, contractual and/or lawful reasons.
- Account Information, including banking details
- security-related information (including usernames and passwords, authentication methods, and roles)
- service-related information (including purchase history and account profiles)

- billing-related information (including payment, shipping, and billing information) and similar data, all which are required to perform contractual matters and/or to provide you access to services
- User Content, such as content of communications, suggestions, questions, comments, feedback, and other information you send to us, that you provide to us when you contact us, or that you post on our websites, applications, mobile applications, or social media portals or platforms
- Device & Browser Information, such as network and connection information (including Internet Service Provider (ISP) and Internet Protocol (IP) addresses)
- device and browser identifiers and information (including device, application, or browser type, version, plug-in type and version, operating system, user agent, language and time zone settings, and other technical information)
- advertising identifiers
- cookie identifiers and information, and similar data, which are required to perform contractual matters and/or to provide you access to services or attend to queries or to ensure that security safeguards are in place
- Usage Information and Browsing History, such as usage metrics (including usage rates, occurrences of technical errors, diagnostic reports, settings preferences, backup information, API calls, and other logs)
- content interactions (including searches, views, downloads, prints, shares, streams, and display or playback details)
- and user journey history (including clickstreams and page navigation, URLs, timestamps, content viewed or searched for, page response times, page interaction information (such as scrolling, clicks, and mouse-overs)
- and download errors
- advertising interactions including when and how you interact with marketing and advertising materials, click rates, purchases or next steps you may make after seeing an advertisement
- and marketing preferences, and similar data which are required to perform contractual matters and/or to provide you access to services or attend to queries or to ensure that security safeguards are in place
- Location Data, such as the location of your device and similar location data, which are required to perform contractual matters and/or to provide you access to services or attend to queries or to ensure that security safeguards are in place
- Your Images, such as still pictures, video, voice, and other similar data, which are required to perform contractual matters and/or to provide you access to services or attend to queries or to ensure that security safeguards are in place
- Social Media and Online Content, such as information placed or posted in social media and online profiles, online posts, and similar data, which are required to perform contractual matters and/or to provide you access to services or attend to queries

Depending on your requirements, we will collect and obtain the abovementioned Personal Information about you either directly from you, from certain third parties, or from other sources which are described below:

**Direct collection: You provide Personal Information to us when you**

- Use our websites, applications, mobile applications, or social media portals or platforms.
- Interact with us
- Enquire about, or search for our products or services
- When we submit an estimate or quotation or offer to do business with you or when you conclude a contract with us
- When you create or maintain a profile or account with us
- When you purchase or subscribe to our products or services
- When you use our products or services
- When you purchase, use, or otherwise interact with content, products, or services from third party providers who have a relationship with us
- When you create, post, or submit user content on our website, applications, mobile applications, or social media portals or platforms
- When you enter a competition or promotional activity
- When you request or sign up for information, including marketing material and direct marketing material
- When you communicate with us by phone, email, chat, in person, or otherwise
- When you complete a questionnaire, survey, support ticket, or other information request form.

**Automatic collection: We collect Personal Information automatically from you when you**

- Search for, visit, interact with, or use our website, applications, mobile applications, or social media portals or platforms
- Use our products or services (including through a device)
- Access, use, or download content from us
- Open emails or click on links in emails or advertisements from us
- Otherwise interact or communicate with us (when you request support or send us information, or when you mention or post to our social media accounts)

**Collection from third parties: We collect Personal Information about you from third parties, such as**

- Those who have a relationship with or that provide or publish Personal Information related to you
- Regulators, professional or industry organizations and certification/licensing agencies that provide or publish Personal Information related to you
- Third parties and affiliates who deal with or interact with us or you

- Service providers and business partners who work with us and that we may utilize to deliver certain content, products, or services
- Marketing, sales generation, and business partners
- SAP, Home Affairs, Credit bureaus and other similar agencies
- Other government agencies, regulators and others who release or publish public records.
- Other publicly or generally available sources, such as social media sites, public and online websites, open databases, and data in the public domain

### **Sharing your information**

In order to consider your query, we will also have to share your information with a number of third parties, including Whyfriday advisors, advertising services, marketing services, SAAS services, lawyers, Whyfriday Authorised Service providers, including business partners, marketing and promotional agencies, and/or where applicable with certain governmental entities, which will be done on a need to know and confidential basis only, and where Whyfriday transfers your/the Data Subject's Personal Information to third parties outside South Africa, it will ensure that the recipient of such information is bound contractually to keep and hold the Personal Information in confidence and in a safe, and secure manner.

### **Consequences of not giving Consent**

If you / the Data Subject do not give Whyfriday the required consent to Process your Personal Information, then Whyfriday will be unable to engage with/the Data Subject.

### **Consent**

By providing us with your Personal Information as required, You/The Data Subject where required give us your consent to use, process and further process your personal information as described above and for no other purpose.

### **NOTE: Consent to process your Personal Information is not needed where processing**

- is necessary to carry out actions for the conclusion or performance of a contract which you, the Data Subject is a party to
- is required to comply with an obligation imposed by law; or
- is for a legitimate purpose or is necessary to protect the legitimate interest(s) and/or for pursuing the legitimate interests of
  - a) the Data Subject
  - b) the Responsible Party
  - c) that of a third party to whom the Personal Information is supplied
- or is necessary for the proper performance of a public law duty

## **You/the Data Subject have**

- the right to object to the Processing of your/the Data Subject's Personal Information
- the right to update your/the Data Subject's Personal Information
- the right to ask Whyfriday to provide you/the Data Subject with the details of all your Personal Information which it holds on your/the Data Subject's behalf
- the right to opt out any further Whyfriday communications or engagements

Requests can be submitted on our website by completing the standard Whyfriday forms at the following link: [whyfriday.com/informationrequests](http://whyfriday.com/informationrequests)

## **Security, safeguarding, storage and deletion of information**

The security of your Personal Information is important to us.

Considering the nature, scope, context, and purposes of processing Personal Information, as well as the risks to individuals of varying likelihood and severity, we have implemented technical and organizational measures designed to protect the security of Personal Information.

In this regard we will conduct regular audits regarding the safety and the security of your Personal Information.

Your Personal Information will be stored electronically and in some cases in hard copy in files and records, which information, for operational reasons, will be accessible to and or provided to persons employed or contracted by us on a need-to-know basis.

Once your Personal Information is no longer required since the purpose for which the Personal Information was held has come to an end, such Personal Information will be retained in accordance with our Whyfriday records retention schedule, which varies depending on the type of processing, the purpose for such processing, the business function, record classes, and record types.

We calculate retention periods based upon and reserve the right to retain Personal Information for the periods that the Personal Information is needed to:

- fulfil the purposes described in this Processing Notice
- meet the timelines determined or recommended by regulators, professional bodies, or associations
- comply with applicable laws, legal holds, and other legal obligations (including contractual obligations)
- comply with your requests

Notwithstanding the above, please note that no method of transmission over the Internet or method of electronic storage is 100% secure. Therefore, while we strive to use commercially acceptable measures designed to protect Personal Information, we cannot guarantee its absolute security.

## **Acceptance and binding nature of this document**

By providing Whyfriday with the Personal Information which we require from you, the Data Subject as listed under this Processing Notice:

- You acknowledge that you understand why your Personal Information needs to be processed
- You accept the terms which will apply to such processing, including the terms applicable to the transfer of such Personal Information cross border
- Where consent is required for any processing as reflected in this Processing notice, you agree that we may process this specific Personal Information

Where you provide us with another person's Personal Information for processing, you confirm that that you have obtained the required permission from such person(s) to provide us with their Personal Information for processing.

The rights and obligations of the parties under this Processing Notice will be binding on, and will be of benefit to, each of the parties' successors in title and/or assigns where applicable.

Should any of the Personal Information concern or pertain to a legal entity whom you represent, you confirm that you have the necessary authority to act on behalf of such legal entity and that you have the right to provide the Personal Information and/ or the required permissions in respect of the processing of that Organization or entities' Personal Information.

## **Contact Whyfriday**

If you wish to contact Whyfriday please send an email to the Whyfriday Information Officer at [info@whyfriday.com](mailto:info@whyfriday.com).

Should you feel unsatisfied with our handling of your Personal Information, or about any complaint that you have made to us, you are entitled to escalate your complaint to the South African Information Regulator who can be contacted at <https://www.justice.gov.za/infoereg/>