

GENERAL PRIVACY NOTICE

TSOLO STORAGE SYSTEMS PROPRIETARY LIMITED

YOUR CONTINUED USE OUR SERVICES INDICATES THAT YOU HAVE BOTH READ AND ACCEPT THIS NOTICE

1 **Definitions**

- **“Applicable Laws”** means all laws and regulations that the Company is required to comply with;
- **“Company/ “our”/ “we”/ “us” means** Tsolo Storage Systems Proprietary Limited, Registration number: 2018/381996/07, Physical address: 12 Links Drive, Pinelands, Cape Town, 7405
- **Personal Information** includes Personal Information and Special Personal Information, as defined under Applicable Law;
- **“Services”** includes the provision of the Website, the provision of our products and/or services or when you engage with us or any of our product and/or service offerings, including any instances where your Personal Information is submitted to us directly or through or by a third-party and any supporting or ancillary services related thereto; and
- **“Website”** includes this/any website (<https://tsolo.io/>) and/or any related (and/or enhanced) mobi-sites, software applications, or any other platforms or portals specifically made available by the Company; and
- **“You”/“your”/“user”** means any person who submits Personal Information to the Company or user of our Services including but not limited to: prospective, new or existing customers of the Company and its subsidiaries and any website users or browsers of this or any Company affiliate website and/or any mobile-site, software applications or similar.

2 **Introduction**

- 2.1 We are delighted that you have shown interest in the Company. We take the protection of your Personal Information seriously and want you to feel informed when you are engaging with us.
- 2.2 The Company provides access to a range of data storage systems and services. This means that in many instances that the Company will be provided with and store (process) Personal Information on behalf of other third-parties. Where the Company processes Personal Information on behalf of a third-party, the Company will comply with all legal obligations in this respect, but advised all data subjects to first direct any questions or queries that they may have around or in respect of their data to the relevant third party in question.
- 2.3 This Notice sets out how we will handle any Personal Information that is given to us directly (for example about information about our customers) or which we collect from third parties (for example information about data subjects that is provided to us by our customers) .
- 2.4 In delivering/carrying out our Services, we will use your Personal Information in accordance with this Notice and Applicable law.
- 2.5 Our Services are only intended to be used by persons aged 18 years or over.

3 **How this Notice applies to you**

- 3.1 This Notice will apply whenever you submit Personal Information to the Company, which will include (but is not limited to) when you browse our Website or use our Services.
- 3.2 Your continued use of our Services indicates that you (which may include any representative acting on your behalf) have both read and consented to the terms of this Privacy Notice.

3.3 If you do not agree to any of the provisions of this Notice, then you should not submit any Personal Information to the Company. However, we note that if you do not consent to this Notice, or any parts thereof, we may not be able to provide you with our Services.

3.4 Whilst we try to balance our legitimate business interests with your reasonable expectation of privacy and to take all reasonable measures to prevent unauthorised access to, or disclosure of your Personal Information, **we cannot guarantee that your Personal Information will be 100% secure.**

4 **Scope of our Processing**

4.1 *What we Collect*

4.1.1 We may collect information that allows you to be identified, such as:

- a) your name, age, sex, addresses, e-mail address, identity/registration number, passport number, bank details, financial information and/or electronic identifying data (including the internet address of your domain, cookies, online identifier, web forms, IP addresses, activity logs, unique device identifiers and geo-location data); and/or
- b) records of correspondence or enquiries from you or anyone acting on your behalf;
- c) details of contracts, sales or purchases you carry out with us;
- d) details of transactions you carry out with us;
- e) details of contracts, sales or licences you carry with us or other third parties.
- f) sensitive and special categories of Personal Information (e.g., images, race information).

4.1.2 Where you provide us with the Personal Information of third-parties you should take steps to inform the third-party that you need to disclose their details to us, identifying us and/or obtaining any requisite consents that may be needed in this respect. We will process their Personal Information in accordance with this Notice and Applicable Law.

4.2 *How we Collect*

4.2.1 You may provide Personal Information to us either directly or indirectly (through and agent or intermediary) or through completing an application form for our products and services or requesting further information about our products and services, whether in writing, through our Website, over the telephone or any other means.

4.2.2 We may also collect your Personal Information from your appointed agent, any regulator, or other third party that may hold such information.

4.3 *How we Use Personal Information [Delete whatever will not be applicable and/or add in anything that is not covered]*

4.3.1 We may collect, use, transfer or process your Personal Information:

- (a) to provide and perform our Services to you, to notify you of changes to our Services and to improve or evaluate the effectiveness of the Company, its products, services or offerings;
- (b) to respond to and comply with your instructions, complaints or requests and to manage your account or our relationship ;
- (c) to operate, develop and manage our Website/other platforms;

- (d) for security (including fraud and crime prevention/reporting), administrative, auditing, operational, marketing and legal or regulatory purposes (which will include complying with any law enforcement agency requests);
- (e) for operational, marketing, auditing, legal and record keeping requirements;
- (f) complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government and tax collection agencies;
- (g) to third parties for reasons set out in this Notice or where it is not unlawful to do so (this may include but is not limited sharing information with credit bureaus and prospective buyers or sellers or our business or assets);
- (h) outside of the Republic of South Africa, in accordance with Applicable Law, including for cloud storage and payment purposes and the use of any of our Websites;

4.3.2 We may from time to time (and at any time) contact you for market research about services, products and offerings available from the Company or specific affiliates or subsidiaries which we believe may be of interest to you, by email, phone, text or other electronic means, unless you have unsubscribed from receiving such communications. You can unsubscribe from receiving such communications by clicking here.

4.4 *Disclosure of Personal Information*

- 4.4.1 Your Personal Information may be disclosed with the Company's affiliates, subsidiaries, employees, agents, sub-contractors and selected third parties who process the information on our behalf.
- 4.4.2 We may also disclose your Personal Information to third parties for the purposes of rendering our Services and for the reasons recorded in clause 4.3 above, including any third parties with whom our supplies and services are carried out/provided in conjunction with and/or who are involved in the completion of our supplies and services and who may need to have your Personal Information in order to fulfil your request or the services (e.g. Third party payment platform providers or cloud service providers).
- 4.4.3 Wherever these persons are located outside of the country (and your Personal Information may be transferred cross-border) we will adhere to Applicable Laws.

4.5 *Security*

While we cannot ensure or warrant the security of any Personal Information you provide us, we do continue to maintain and improve our security measures over time and in line with legal and technological developments. That said, we will comply with all organisational and technical security and other measures required of us under Applicable Law.

4.6 *Retention*

- 4.6.1 We may store your Personal Information directly or on a central or separate database. If the location of the central database is in a country that does not have substantially similar data protection laws, we will take all legally mandatory required steps to ensure that your Personal Information is adequately protected.
- 4.6.2 We may retain your Personal Information indefinitely, unless you object, in which case we will only retain it if we are permitted or required to do so in terms of Applicable Law. However, generally, we will not retain your information for longer than is necessary or for the periods required by Applicable Law.

4.7 *Access to Your Information*

- 4.7.1 You may request details of personal information which we hold about you under the Promotion of Access to Information Act, 2000 ("PAIA"). Fees to obtain a copy or a description of personal information held about you are prescribed in terms of PAIA. Confirmation of whether or not we

hold personal information about you may be requested free of charge. If you would like to obtain a copy of your personal information held by us, please review our PAIA Manual located at: tsolo.io.

5 Your Rights

5.1 As a user/data subject, you have certain rights, including the right:

- (a) to access your Personal Information stored and processed by us. This may be done by emailing us at the address referred to in clause 6 below;
- (b) to correct/rectify Personal Information that we hold on your behalf, in instances where such Personal Information is incorrect or incomplete;
- (c) to erase Personal Information (also known as 'the right to be forgotten'). In simple terms, this enables you to request the deletion or removal of your information where there is no compelling reason for us to keep using it. This is not a general right to erase; there are exceptions. For example, we have the right to continue using your personal data if such use is necessary for compliance with our legal obligations or for the establishment, exercise or defence of legal claims;
- (d) to restrict/suspend processing of Personal Information to only that which is strictly necessary for us to perform our services to you. Please note that this right is limited in certain situations: when we are processing your Personal Information that we collected from you with your consent you can only request restriction on the basis of: (a) inaccuracy of data; (b) where our processing is unlawful and you don't want your Personal Information erased; (c) you need it for a legal claim; or (d) if we no longer need to use the data for the purposes for which we hold it. When processing is restricted, we can still store your information, but may not use it further;
- (e) to complain- if we breach any of the terms of this Privacy Notice, to complain to the requisite data protection authority in South Africa;
- (f) to withdraw your consent at any time, if the processing of the Personal Information is based on consent;
- (g) to object to processing of Personal Information if such processing is based on legitimate interests; and
- (h) to object to the processing of Personal Information for direct marketing purposes.

5.2 The exercise of these rights is free of charge.

6 Complaints

6.1 If, you wish to raise a complaint regarding the processing of your Personal Information then please first reach out to the Company's designated Information Officer at: thomas@tsolo.io

6.2 However, if you are still unsatisfied with how we have handled your Personal Information, you can lodge your complaint with the Information Regulator or authority in the applicable and relevant country. We are happy to share further information or guidance in this regard should you need it.

6.3 The South African Information Regulator's contact details are set out below.

The Information Regulator
Contact Details: Tel: 012 406 4818
Fax: 086 500 3351
POPIAComplaints@inforegulator.org.za
PAIAComplaints@inforegulator.org.za

7 Indemnity and liability

- 7.1 **Without derogating from any other limitations of liability or indemnifications agreed to between us, in agreeing to the provisions of this Notice, you hereby unconditionally agree to indemnify us against any liability that may result from the processing of your Personal Information, including any loss, damage or injury arising from any inaccurate or incomplete Personal Information provided to us by the you and/or any third party and/or any unintentional disclosure of your Personal Information to any unauthorised persons.**
- 7.2 Further while we use every effort to update the information on the Website regularly, we accept no liability if any information is incorrect or inaccurate information.

8 Log Files

When you visit the Company's Website, even if you do not register and account, we may collect information, such as your IP address, the name of your ISP (Internet Service Provider), your browser, the website from which you visit us, the pages on our Website that you visit and in what sequence, the date and length of your visit, and other information concerning your computer's operating system, language settings, and broad demographic information. This information is aggregated and anonymous data and does not identify you specifically. However, you acknowledge that this data may be able to be used to identify you if it is aggregated with other Personal Information that you supply to us. This information is not shared with third parties and is used only within the company on a need-to-know basis. Any individually identifiable information related to this data will never be used in any way different to that stated above, without your explicit permission.

9 Cookies

- 9.1 We use cookies. A cookie is a small piece of information stored on your computer, smart phone or device by the web browser for record-keeping purposes. Tracking technologies also used are beacons, tags, and scripts to collect and track information and to improve and analyse our services.
- 9.2 **You can view and edit cookies by looking in the cookies' directory of your browser installation. Permanent cookies are not required for the Website to work but may enhance your browsing experience. Likewise, if you do not accept cookies, you may not be able to use some portions of our Services.**
- 9.3 The following types of cookies are used on the Website:
- 9.3.1 "Session cookies": which are used to maintain a so-called 'session state' and only last for the duration of your use of the Website. A session cookie expires when you close your browser, or if you have not visited the server for a certain period of time. Session cookies are required for the Platform to function optimally but are not used in any way to identify you personally;
 - 9.3.2 "Permanent cookies": these cookies permanently store a unique code on your computer or smart device in order to be able to identify you as an individual user. No Personal Information is stored in permanent cookies; and
 - 9.3.3 "Security Cookies": these cookies are used for security related purposes.

10 Third Party Links and External Tools on the Website

- 10.1 The Services available through the Website, may contain links to other third-party websites. We are not responsible and take no liability for the acts, content or privacy policies of these third-party websites and advise you to review the privacy policies of those parties
- 10.2 We may also use third-party service providers to monitor and analyse user behaviour and the use of our Services, which may include but is not limited to:
- 10.2.1 *Google Analytics*: which is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Services.

This data is then shared with other Google services and Google may use the collected data to contextualize and personalize the ads of its own advertising network. **You can opt-out your activity on the website being made available to Google Analytics by installing the browser plug-in available at: <https://tools.google.com/dlpage/gaoptout?hl=en>.** For more information on the privacy practices of Google, please visit the Google Privacy Terms web page: <https://policies.google.com/privacy?hl=en>

- 10.2.2 *Facebook Tracking Pixel:* With your consent we will use Facebook's "tracking pixel", which allows for the behaviour of users to be tracked once they are linked to a Facebook or Instagram ad on our website. This allows us to record the effectiveness of Facebook and Instagram ads for statistical and market research purposes and to take optimization measures, if necessary. **You can deactivate the cookie storage on behalf of Facebook, by adjusting your browser settings accordingly.**

10.3 These third parties have access to your Personal Information only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

11 **Amendment of this Notice**

- 11.1 We may amend this Notice and/ or any of the documents incorporated under it by reference from time to time.
- 11.2 To the extent permitted by Applicable Law, any such amendment will come into effect and become part of any agreement you have with the Company when notice is given to you of the change by publication on our website and, where appropriate, notified to you by e-mail. It is your responsibility to check the website often.