



## PRIVACY POLICY

Utshalo ([www.utshalo.co.za](http://www.utshalo.co.za)) is committed to the Confidentiality, Integrity, and Availability (CIA) of Personal Information. This notice explains how we obtain, use, disclose, and protect your personal information, in accordance with the requirements of the Protection of Personal Information Act (PoPIA).

*All mention of the word "you(r)" in this document is in reference to: an existing/prospective Utshalo client, an existing/prospective employee, a third party providing a service to Utshalo, or a potential third party looking to provide a service to Utshalo and includes visitors to our website.*

### About Utshalo

#### Responsible Party

This privacy notice is issued for Utshalo, a division of Ince (Pty) Limited (Ince). All queries and concerns regarding this privacy notice should be directed to [contact@utshalo.co.za](mailto:contact@utshalo.co.za). Matters related to the processing of your personal information can be directed to [popia@ince.co.za](mailto:popia@ince.co.za).

#### Our office location and contact details are as follows:

Ince Head Office (Johannesburg)  
Physical Address:  
42 Wierda Road West,  
Wierda Valley Sandton, Johannesburg, 2196  
Contact Number (+27) 011 305 7300

#### The personal information we collect and process

We may collect, use, store, retain or transfer different categories of personal information about you. Below you will find the categories of personal information that we process.

#### General Information

This could include your title, first names, last name, marital status, date of birth, South African Identity Number or similar identifier and gender. For companies, this includes any personal information from the registration documents.

(Should you visit our offices, we may collect your vehicle's registration details i.e., information from the licence disc and plates).

#### Contact Information

This could include your billing address, postal address, email address, telephone/mobile numbers.

#### Financial Information

This could include your bank account and payment details, your stockbroking account details, debit order forms, information contained in VAT certificates/Tax clearance certificates, and bank statements for certain clients.

#### Transaction Information

This could include the transaction history between you and us and other details of products and services you have signed up for.

#### Marketing and Communication Information

This information could include how you prefer to receive communication from us, your preferences regarding receiving marketing information from us or our third parties.

We also collect, use, and share aggregated information such as statistical data which does not directly or indirectly reveal your identity.

#### Technical Information

This could include your internet protocol (IP) address, your login data, browser type and version, time zone setting and location, products you viewed or searched for, page response times, time spent on pages within our website, language settings, and cookie preferences.

#### Profile Information

This could include your username and password, purchases, and any requests for demonstrations or support, and feedback.

#### Not providing your personal information

In certain situations, the supply of certain items of personal information, especially those collected to comply with regulation, is legally mandatory. There are however instances where we may need your consent to process your personal information.

Where you have given us your consent for specific context, you are free to withdraw this consent at any time. Please note that where you have withdrawn your consent, this will not affect the processing that took place prior to such withdrawal, nor will it affect the processing of your personal information where consent is not required.

You may refuse to provide us with your personal information in which case we may not be able to provide you with a relevant service or would have to terminate our business relationship.

#### Changes to your personal information

In accordance with POPIA, you have a right to correct any of your personal information held by us. For more information about how to do this, please see section "Your Legal Rights" of this policy.

#### Opting Out

You may ask us at any time to stop sending you messages. You can do this through the unsubscribe button in our emails.

If you are an existing client, opting out of messages only ensures that you will no longer receive from us. This means that your personal information will still be processed for the purpose of providing you with the product support or services you have signed up for.

#### Third-Party Cookies and Links

Our website may also contain links to other third-party websites. By clicking on those links, you may be allowing those third parties to collect information about you.

We are not responsible for, give no warranties, nor make any representations in respect of the privacy notices/statements/policies or practices of linked or any other third-party websites.

We recommend that you read their privacy statements as well as those of any other website before continuing to browse them.

#### When we collect your information

Utshalo uses different methods to collect personal information from and about you. These methods include:

##### Direct Interactions:

You may share your personal information, such as your identity, contact details, and financial data by completing certain forms and/or when corresponding with us by email or phone.

This includes personal information that you provide voluntarily when you:

- Register on our website,
- Place new or additional orders through our website,
- Call our office/s,
- Make enquiries through our website regarding our products or services,
- Request a demo for our products or services,
- Subscribe to our publications,
- Make use of our service(s),
- Upload/Download content or products to/from our website,
- Provide us with feedback on our products and services,
- Respond to survey requests,
- Enter competitions on our websites,
- Use the optional features and functionality of the website, and
- Request or update your marketing communications and preferences.

#### Overview

We may automatically collect data about you by using cookies.

Cookies are small text files that web browsers store on user devices (smartphones, computers, tablets) that allow websites to, among other things, remember your device, preferences, and previous interactions with the website(s).

These cookies serve a number of useful purposes:

- Granting you access to age-appropriate content,
- Tailoring the functionality of our website to you personally by letting us remember your preferences,
- Improving the performance of our website,
- Allowing third parties to provide services to our website, and
- Assist us in providing marketing/advertising material relevant to you.

#### Third Parties or Social Media

We may at times receive personal information about you from various third parties to whom you have provided your personal information to and given your consent to share your personal information with Utshalo directly or with a category of recipients in which the business activities of Utshalo would fall.

We may also obtain your information when you interact with us on any of our social media platforms (i.e., Twitter and Facebook).

#### How we use your personal information

We will only use the personal information you provide for the purpose(s) for which it was collected.

Typically, we will use your personal information:

- Where you have agreed/consented to the processing of your personal information,
- In compliance to a legal or regulatory obligation,
- Where it is required for our legitimate interests, including those of our third parties,
- Where perform/fulfil the contract we have are in the process of entering into with you,
- To register you as new customer,
- To manage our business relationship with you,
- To provide you with product/service support and to

communicate any updates to our products/services, including our website,

- To remember your information so that you will not have to re-enter it during your next visit to our website,
- To track your entries, submissions, and status of any promotions or other activities in connection with your usage of our website,
- To provide you with relevant marketing material (Unless you have previously unsubscribed)

We will only send you marketing if you have purchased our products/services, or

When you have given us your consent by expressing an interest in our products/services either by email, submission of your contact details through our website or social media platforms.

You may opt out of these communications at any time by selecting the "unsubscribe" button at the bottom of the email.

#### Security of your personal information

We are committed to your privacy and safeguarding information that you share with us.

We commit to ensuring that appropriate security measures are in place to protect your personal information from accidental loss, damage, disclosure, unauthorised access, use and/or alteration.

We have implemented an Information Security Management System that aligns to the industry best practice guidelines. Implemented security controls are subject to regular reviews to ensure applicability, relevance, and efficacy.

In addition to this, access to your personal information is limited to our employees, agents, contractors and third-party service providers who are required to have access to perform their duties. Your personal information is only processed upon our instruction and all authorised individuals are subject to strict non-disclosure and privacy agreements.

Though we have implemented reasonable security measures, we have also put in place procedures to deal with any suspected security compromises. Should we identify a breach, we will notify you and the Information Regulator as the law requires.

#### Third Parties to whom we may share your personal information

We may at times have to share your personal information with certain third parties or make use of certain third parties in the course of collecting/processing your personal information for the purposes referenced in a previous section. Some of these third parties are mentioned below:

##### Internal Parties

This includes members of our staff who are involved in the fulfilment of any contracts that we have with you:

For New/Existing Clients: this includes but is not limited to the members of our staff who are responsible for processing your payment details/history, members of staff who are responsible for providing product support,

For New/Existing Employees: this includes but is not limited to the members of staff who are responsible for updating our staff records and company payroll.

##### External Parties

We use third-party service providers to assist us with various activities pursuant to our business operations and legal/industry related obligations:

- Third parties who provide us with workplace technology such as hosting, storage, and communications.
- Please contact us should you want to receive a full list of the third-party service providers who may process your personal information while assisting us with those activities,

- Professional advisers including lawyers, bankers, auditors, insurers, firms that provide risk management consultancy and accounting services,
- The South African Revenue Service (SARS) to whom we are obligated to report to in certain circumstances,
- Third parties to whom we choose to sell, transfer, or merge parts of our business with.

We require all our third parties to respect the privacy and security of your personal information and treat it in accordance with the law.

We do not permit our third parties to use your personal information for their own purposes. We have strict contracts in place that only permit the processing of your information for the specified purposes.

In certain circumstances we may share your personal information with Law Enforcement and/or Regulatory Authority where it is required of us.

Typically, these circumstances involve:

- The receipt of a subpoena or court order,
- To protect the safety of any individual or the general public,
- To prevent violation of our customer relationship terms.

#### **International Transfer of Personal Information**

International transfer/storing of your personal information is only done in situations where trans-border processing is required (stakeholders and/or operators situated across the border, who require access to your personal information pursuant to Utshalo business operations).

We will not send your information to a country that does not have information protection legislation like that of South Africa, unless we have ensured that the recipient agrees to effectively adhere to the principles for processing of information in accordance with POPIA.

#### **Your legal rights**

The Protection of Personal Information Act, 2013 provides you with rights in relation to your personal information, these rights include but are not limited to:

- The right to confirm whether we hold any of your personal information and to request access to it,
- The right to object, on reasonable grounds relating to your particular situation to the processing of your personal information,
- The right to request, where applicable, the correction, destruction, or deletion of your personal information, and
- The right to object, at any time, the processing of your personal information for the purpose of direct marketing.

Whereas we would appreciate the opportunity to first address any complaints regarding our processing of your personal information, you have the right, at any time, to make enquiries or lodge a complaint with the Information Regulator whose contact details are:

Physical Address:

JD House, 27 Stiemans Street, Braamfontein, Johannesburg, 2017

Postal Address:

P.O Box 31533, Braamfontein, Johannesburg, 2017

Website: <https://www.justice.gov.za/inforeg>

Email Addresses:

For complaints: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

For general enquiries: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)

#### **Legal Capacity and Acceptance of Terms**

The use of our website, including the placement of orders is not suitable for minors or individuals who do not have legal capacity to conclude legally binding contracts.

By accepting this policy, you are deemed to have read, understood, accepted, and agreed to be bound by all its terms.