

LUMKANI PRIVACY POLICY

Last updated on October 2019

1. INTRODUCTION

1.1. This privacy policy ("**this Policy**") of the SocioTech Institute Proprietary Limited trading as Lumkani ("**Lumkani**", "**us**" or "**we**") contractually regulates our right to collect and use the information we have about you ("**User**" or "**you**") and your rights in this regard, and applies to your use of Lumkani's website (Lumkani.com, and all sub-domains) ("**Website**") and the services that we offer ("**Services**") any other time that we process your information. This Policy creates a legally binding agreement between us and you and will apply as soon as we process your data or you start using the Website or Services.

1.2. Your use of the Website and Services will be regulated by this Policy as well as any other terms that are available on the Website and/or the agreements that you enter into with us.

1.3. **Changes to this Policy:** unless notice is required by laws, we may change this Policy from time to time in line with any changes that the law or our internal business operations require, without prior notice. We will notify you of any material changes to this Policy. The current version of this Policy that applies each time you visit and/or use our Website and/or Services will regulate our relationship. It is your responsibility to consider the Policy each time you visit the Website. **If you do not agree with any terms of this Policy, you must stop using the Website and/or Services.**

1.4. The right to privacy and this Policy is important to us. We are committed to taking steps to protect your privacy when you use the Website and Services and we therefore implement business practices that comply with applicable laws, including the Protection of Personal Information Act, 4 of 2013 (referred to in this Policy as "**Applicable Law**"). In this Policy, we explain how we will use and protect your Personal Information in terms of Applicable Law.

2. PERSONAL INFORMATION

Where we refer to "**Personal Information**", we mean personal information as defined in Applicable Law, being information that may be used to directly or indirectly identify

you. Personal Information includes, for example, your name, surname, email address, physical address, identity number, contact details, photograph and location.

3. COLLECTING YOUR PERSONAL INFORMATION

We collect Personal Information about you from the following sources:

- 3.1. directly from you when you provide it to us, such as when you sign up to use our Services, contact us or during our relationship with you;
- 3.2. from public sources where you have made your Personal Information public, such as on social media;
- 3.3. from your use of the Services;
- 3.4. from your use of our Website or use of any features or resources available on or through our Website; and
- 3.5. from third parties when you interact with them through the Website, where they are allowed to share your Personal Information or your interaction with us as a result of the Services or as required of the third parties to share it with us or otherwise if Applicable Laws allow us.

4. CATEGORIES OF PERSONAL INFORMATION THAT WE PROCESS

- 4.1. **General personal details:** your name and surname, gender, date of birth, age, nationality, language preferences, identity or passport number.
- 4.2. **Special personal information:** such as trade union membership information that is provided to us.
- 4.3. **Children's Personal Information:** Personal Information of any User, or provided by a User about a person, that qualifies as a *child* in terms of the Applicable Laws of South Africa, necessary for us to render the Services and with the consent of a parent or guardian. We will only intentionally process the Personal Information of children with the consent of a parent or guardian of that child where required in terms of Applicable Law.
- 4.4. **Contact details:** your address, contact number, email address, and public social media profile(s).

- 4.5. **User information:** Personal Information included in correspondence, transaction documents, use of the Services or other materials that we process when providing the Services.
- 4.6. **Consent records:** records of any consents you have given us about using your Personal Information and any related information, such as the specific details of the consent. We will also record any withdrawals or refusals of consent.
- 4.7. **Payment details:** details related to any payments made, such as payment method, payment amount, date and reason for payment and related information.
- 4.8. **Data relating to our Website:** such as the type of device you use to access the Website, the operating system and browser, browser settings, IP address, dates and times of connecting to and using the Website and other technical communications information, including cookies and similar technologies.
- 4.9. **Content and advertising data:** records of your interactions with our online advertising on the various websites which we advertise and records relating to content displayed on webpages displayed to you.
- 4.10. **Views and opinions:** any views and opinions that you choose to share with us, or publicly post about us on social media platforms or elsewhere.

5. PURPOSES OF PROCESSING PERSONAL INFORMATION

- 5.1. We only process adequate and relevant Personal Information for the following purposes:
- 5.1.1. to perform in terms of our agreement with you (to provide you with the Services);
 - 5.1.2. to operate and manage your relationship with us;
 - 5.1.3. to monitor and analyse our business to ensure that it is operating properly, for financial management and for business-development purposes;
 - 5.1.4. to contact you by email, telephone, text message, push notifications or other means to inform you about our Services, unless you have opted-out of direct marking communications;

- 5.1.5. to form a view of you as an individual and to identify, develop or improve the Website and Services;
- 5.1.6. to carry out market research and surveys, business and statistical analysis and necessary audits;
- 5.1.7. for fraud prevention;
- 5.1.8. to perform other administrative and operational tasks like testing our processes and systems and ensuring that our security measures are appropriate and adequate; and
- 5.1.9. to comply with our regulatory, legal or other obligations.

5.2. We may use your Personal Information for other purposes if the law allows for it, if you consent to it, or if it is in the public interest to do so. All purposes for the processing of your Personal Information will be allowed in terms of Applicable Law.

6. DIRECT MARKETING

6.1. We may process your Personal Information to contact you to provide you with information regarding our Services that may be of interest to you. Where we provide Services to you (where you are a customer of ours), we may send information to you regarding our Services and other relevant information. We will only send you direct marketing communications where you have consented to us sending you direct marketing or otherwise in compliance with Applicable Laws.

6.2. You may unsubscribe from any direct marketing communications at any time by clicking on the unsubscribe link that we include in every direct marketing communication or by contacting us and asking us to do so.

6.3. After you unsubscribe, we will not send you any direct marketing communications, but we will continue to contact you about the Services or our relationship.

7. DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES

7.1. We will keep your Personal Information confidential and only share it with others in terms of this Policy, or if you consent to it, or if the law requires from us to share it.

7.2. We may disclose your Personal Information to:

7.2.1. our business partners or third party service providers and processors to provide you with the Services, such as data storage providers, insurers and underwriters, payment partners, couriers, etc. in terms of written agreements with these third parties;

7.2.2. legal and regulatory authorities, as required or upon their request, or for reporting any breach of Applicable Law;

7.2.3. accountants, auditors, lawyers and other external professional advisors in terms of written agreements with them;

7.2.4. any relevant party to the extent necessary for the establishment, exercise or defence of legal rights, criminal offences, threats to public security, etc.;

7.2.5. any relevant third party if we sell or transfer all or any portion of our business or assets; and

7.2.6. any relevant third party provider where our Website uses third party advertising, plugins or content.

7.3. If we engage third party processors to process your Personal Information, the processors will be appointed in terms of a written agreement which will require them to only process Personal Information on our instructions, to use appropriate measures to ensure the confidentiality and security of your Personal Information and comply with any other requirements set out in the agreement and required by Applicable Law.

8. INTERNATIONAL TRANSFERS OF PERSONAL INFORMATION

8.1. Due to the nature of the Services and our business practices, we may need to transfer Personal Information to and from different countries for our business purposes and to provide the Services.

8.2. We may transfer your Personal Information to recipients in other countries. We will only transfer Personal Information to third parties in countries with adequate data protection laws or in terms of a written agreement with the recipient which requires the recipient to comply with the data protection requirements in terms of Applicable Law.

8.3. Please note that when you transfer any Personal Information directly to a third party in another country (i.e. we do not send your Personal Information to the third party), we are not responsible for that transfer of Personal Information (and such transfer is not based on or protected by this Policy). Any Personal Information that we receive from a third party country will nevertheless be processed in terms of this Policy.

9. SECURITY

9.1. We have implemented appropriate technical and organisational security measures designed to protect Personal Information against accidental or unlawful destruction, loss, alteration, disclosure, access and other unlawful or unauthorised forms of processing. These measures are in accordance with Applicable Law.

9.2. The internet is an open and often vulnerable system and the transfer of information *via* the internet is not completely secure. Although we will implement all reasonable measures to protect Personal Information, we cannot guarantee the security of your Personal Information transferred to us using the internet. **Therefore, you acknowledge and agree that any transfer of Personal Information *via* the internet is at your own risk and you are responsible for ensuring that any Personal Information that you send is sent securely.**

10. YOUR LEGAL RIGHTS

10.1. You have certain rights in relation to your Personal Information. As available and except as limited under Applicable Law, you have the following rights in respect of your Personal Information:

10.1.1. **right of access:** the right to be informed of and request access to the Personal Information that we process about you;

10.1.2. **right to rectification:** you may request that your Personal Information be amended or updated where it is inaccurate or incomplete;

- 10.1.3. **right to erasure:** the right to request that we delete your Personal Information, subject to applicable limitations and exceptions;
- 10.1.4. **right to restrict processing:** you may request that we temporarily or permanently stop processing your Personal Information;
- 10.1.5. **right to object:**
 - 10.1.5.1. you may object to us processing your Personal Information; and
 - 10.1.5.2. to your Personal Information being processed for direct marketing purposes;
- 10.1.6. **right not to be subject to automated decision-making:** where a decision that has a legal or other significant effect is based solely on automated decision making, including profiling, you may request that your Personal Information not be processed in that manner.

10.2. Where you have consented to us processing your Personal Information, you may also withdraw your consent where our processing is based on your consent. However, we may continue to process your Personal Information if another legal justification exists for the processing.

11. USE OF COOKIES AND SIMILAR TECHNOLOGIES

11.1. Cookies are small files about browsing activity that are stored on a device's web browser by the websites that are visited and are generally used to improve user experience. When you use the Website, we automatically receive and record information on our server logs from your browser, such as your location, IP address, general internet usage and Google Analytics information. This is statistical data about browsing actions and patterns. Cookies enable us to improve our Website and Services, estimate our audience size and usage patterns, and store information about your preferences.

11.2. You can set your web browser to refuse cookies or by downloading and installing the Google Analytics Opt-out Browser Add-on, but your full use of the Website might be limited. Please note that third parties may also use cookies, but

we do not have access to, or control over them, and therefore cannot take responsibility for them.

12. LINKS ON OUR WEBSITE

Our Website may include links to other apps or third party websites which do not fall under our supervision. We cannot accept any responsibility for your privacy or the content of these third party sites, but we display these links in order to make it easier for you to find information about specific subjects. **If you use or rely on these links, you do so at your own risk.**

13. RIGHT TO OBJECT

You may, on reasonable grounds, object to us using your Personal Information for certain purposes. If you object, we will stop using your Personal Information, except if Applicable Law allows its use. To exercise this right or to discuss it with us, please contact us on info@lumkani.com.

14. CHILDREN'S INFORMATION AND SPECIAL PERSONAL INFORMATION

14.1. We do not intentionally collect or use children's Personal Information (for purposes other than providing the Services) without the consent of a parent or guardian of the child unless the User is capable of consenting to the use of his/her Personal Information in terms of Applicable Laws.

14.2. We will only collect or process special Personal Information with your consent or if allowed by Applicable Law.

15. QUALITY AND ACCESS TO YOUR INFORMATION

15.1. **Quality:** we want to make sure that your Personal Information is correct and up to date. You may ask us to correct or remove any Personal Information that you think is wrong, by sending us an email on info@lumkani.com.

15.2. **Access:** you have the right to ask us to provide you with the Personal Information that we hold about you. You must contact us directly to do so or send an email to info@lumkani.com. We may require you to verify your identity, identify the rights you are wishing to exercise and pay a fee to access any information.

15.3. The right to access your Personal Information may further be limited in terms of Applicable Law.

16. RETENTION OF INFORMATION

16.1. We take every reasonable step to make sure that your Personal Information is only processed for the minimum period necessary for the purposes set out in this Policy.

16.2. We retain Personal Information in line with the retention periods in Applicable Law or for legitimate business purposes and for the time necessary establish, exercise or defend any legal rights. We will only retain your Personal Information for the purposes clearly set out in this Policy. We may keep Personal Information indefinitely in a de-identified format for statistical purposes, which may include for example statistics of how you use the Services.

16.3. This Policy also applies when we retain your Personal Information.

17. SECURITY BREACH

We will report any security breach to the applicable regulatory authority in terms of Applicable Law and to the persons whose Personal Information is involved in the breach. If you want to report any concerns about our privacy practices or if you suspect any breach regarding your Personal Information, kindly notify us by sending an email to info@lumkani.com.

18. LODGING A COMPLAINT

18.1. If you want to raise any objection or have any queries about our privacy practices, you can contact us at info@lumkani.com.

18.2. You also have the right to formally lodge a complaint with the Information Regulator:

18.2.1. Website: <http://www.justice.gov.za/inforeg/index.html>

18.2.2. Address: SALU Building, 316 Thabo Sehume Street, Pretoria

18.2.3. Tel: 012 406 4818

18.2.4. Fax: 086 500 3351

18.2.5. Email: inforeg@justice.gov.za

19. LEGAL DISCLOSURE

19.1. **Website owner:** The SocioTech Institute Proprietary Limited trading as Lumkani, registration number 2015/070358/07.

19.2. **Legal status:** Lumkani is a private company, duly incorporated in terms of the applicable laws of the Republic of South Africa.

19.3. **Directors:** D.J Gluckman, F.G Petousis, P.F Mesarcik, A.G Parbhoo, V.J Hayter and J Stanford.

19.4. **Description of main business of Lumkani:** Lumkani's main business is in the technology and insurance sector, focused on distributing smart sensors and insurance products to households and businesses in informal settlements and other communities.

19.5. **Email address:** info@lumkani.com.

19.6. **Website address:** Lumkani.com.

19.7. **Physical, postal and registered address:** Unit 8B, 73 Juta Street, Braamfontein, 2001.