

## WEBSITE PRIVACY STATEMENT

**Effective Date: 1 JULY 2021**

The Smollan group of companies (“Smollan,” “we,” or “us”) cares about your privacy. This Privacy Statement covers the collection, use, and disclosure of your personal data by Smollan via [www.Smollan.com](http://www.Smollan.com) (the “Site”), as well as your legal rights in relation to such data.

By using this Site, you agree to the terms and conditions of this Privacy Statement.

In compliance with data protection legislations across multiple jurisdictions, including principles of transparency, accountability, and choice regarding the collection and use of your personal data, the Site is governed by the policy as stated below.

### **Personal data**

Personal data refers to information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- the views or opinions of another individual about the person; and
- the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

### **Data Collection**

We collect or obtain your data (which may include personal data) in a variety of ways, as described below.

*Data You Provide:* When you submit questions, request information, or give us feedback via this Site, we may ask you for data, like your name, postal address, telephone number, and email address so we can respond or follow up. We may also ask you to provide other data relevant to your question, request, or feedback, such as your geographical location, industry, and preferred contact method.

You may also make requests through this Site to exercise your individual rights under applicable privacy laws. We will collect and maintain data related to such requests in order to respond to you and for our audit and legal compliance purposes.

We generally do not seek data that may be considered “special” or “sensitive” personal data (e.g., government-issued identification numbers or information related to an individual’s racial or ethnic origin, political opinions, religious or other beliefs, health, criminal background, or trade union membership) from visitors of this Site, and we ask that you do not provide such data. If we specifically require “special” or “sensitive” personal data in connection with one or more of the uses described below, we will request your consent to use the data in accordance with this Privacy Statement and/or in the ways described at the point where you were asked to disclose the data. If you voluntarily share with us or post/upload any “special” or “sensitive” personal data to this Site for any other reason, you consent that we may use such data in accordance with applicable law and this Privacy Statement.

Please note that any information or materials you post or disclose on this Site via message boards, chats, profile pages, blogs, and other services (including social media services) are publicly available and will be seen by other visitors to this Site. You should consider this when deciding to disclose any personal data or any other information on this Site.

*Data Collected from your Use of this Site:* We automatically receive certain data about the computer or device you are using when you visit this Site, including: your Internet Protocol (IP) address; information about the browser or type of device you are using; data collected through cookies, pixel tags, and other similar technologies (as described below in the “Cookies and Other Internet Technologies” section); the date and time of your visit; and the web page you visited immediately prior to visiting this Site. We also collect data about videos or other content you view on this Site, like the type and name of the content and the time viewed.

## **Data Use**

We use data about you for the purpose(s) for which it was collected or provided to us (as stated at the point of collection) or as otherwise obvious from the context of collection. We may also use data to:

- Administer and manage this Site, communicate with you about this Site, process your request for information, or otherwise complete a transaction or service you request or authorize;
- Customize or personalize your user experience and the content we deliver to you, including to provide you with content that is more relevant to you;
- Contact you about Smollan’s products and services, provide you with promotional materials or offers for products/services from Smollan, or send you other communications about Smollan’s business and events (including communications based on your interests, personal and business characteristics, and location) (collectively, “marketing communications”). We may provide these communications and offers via email, postal mail, online, social media platforms, text messages, and other means that you provide;
- Carry out our internal business purposes, such as corporate transactions, audits, and data analysis; conduct research and analytics about your use of this Site and interaction with us; develop new products and services; improve this Site and our existing products and services; identify usage trends; assess the performance of our advertisements; optimize our advertising campaigns; and determine the effectiveness of our communications;

- Protect the rights, safety, property, or operations of one or more Smollan affiliates, you, or others;
- Comply with applicable law and/or respond to requests and communications from law enforcement authorities or other government officials.

Note that you may unsubscribe from a Smollan mailing list at any time by clicking on the 'unsubscribe' link in any of our marketing communications to you. After you unsubscribe, we will not send you further marketing communications, but we may continue to contact you to the extent necessary for the purposes of any services you have requested.

We will never use your personal data to advertise, promote, or market third-party goods or services to you. Additionally, we will not license or publish any of your personal data. We do not and will not sell any personal data to third parties for their own commercial use.

### **Basis for Processing Personal Data**

Applicable law in certain countries requires us to set out the legal basis we rely on in order to process personal data.

*Consent:* We may rely on the consent that you provide us at the point of data collection or disclosure to us to process such data for the purposes outlined herein.

*Legitimate interests:* We may rely on our legitimate interests to process your personal data, provided that our interests are not overridden by your interests, fundamental rights, or freedoms. In particular, we may process your personal data in reliance on a legitimate interest in the effective and lawful operation of this Site and our businesses, as well as the effective delivery of information and services to you. We may have other legitimate interests and, if so, we will make clear what those interests are at the relevant point in time.

*Compliance with legal obligations:* We may process your personal data if necessary for us to comply with a legal obligation arising under an applicable law to which we are subject.

To the extent that we process any "special" or "sensitive" categories of personal data relating to you, we will do so because either: (i) you have given us your explicit consent to carry out such processing; (ii) the processing is necessary for the establishment, exercise, or defense of legal claims; or (iii) you have made the data manifestly public.

If you have questions or concerns about the legal basis upon which we collect and use your personal data, you can contact the Smollan Information Officer at [Milana.Pretorius@Smollan.com](mailto:Milana.Pretorius@Smollan.com).

### **Disclosures of Personal Data**

In connection with one or more of the purposes outlined in the "Data Use" section above, we may disclose your data to:

- Other entities within the Smollan group of companies;
- Third parties that provide services to us, such as system hosting, management, and support; data analysis; facilitation of advertisements; data backup; and data security and storage services;

- Relevant third parties as part of a corporate transaction, such as a reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with a bankruptcy or similar proceeding);
- Competent governmental and public authorities, in each case to comply with legal or regulatory obligations or requests; and
- Other third parties as we believe necessary or appropriate: (a) under applicable law; (b) to comply with legal process; (c) to enforce our terms and conditions; (d) to protect our operations and those of any of our affiliates; (e) to protect our rights, privacy, safety, or property, and/or those of our affiliates, you, or others; and (f) to allow us to pursue available remedies or limit damages that we may sustain.

In addition, this Site may contain content and plugins from social media platforms, like Facebook (“Like” button), Twitter (“Share to Twitter”), LinkedIn, and others. These plugins allow you to share information from this Site to your timeline or account. When you connect to these services, the third parties may store and/or access data (including through the use of cookies and other similar technologies) over which we do not have control.

If you are logged into one of your social media accounts while visiting a webpage on this Site that contains a social media plugin, the social media plugin may allow the relevant social media platform to receive information that you visited this Site and link it to your social media account. We do not control these third-party platforms, and information collected is governed by the privacy statement of the third party that provides the relevant platform. We encourage you to review these platforms’ privacy statements for more information.

The disclosures described in this section may result in the transfer of your data to countries or regions with data protection laws that differ from those in your country of residence. By providing us with your data and using this Site, you are acknowledging that your data may be transferred to countries outside of your country of residence.

In cases where your data is transferred outside of your country of residence, we take steps to ensure that appropriate safeguards are in place to protect such data. If you are based in the EU/EEA, such safeguards may include a data transfer agreement with the data recipient based on standard contractual clauses or such other mechanism as is approved by the European Commission for transfers of personal data to third countries. For further details relating to the transfers described above and the adequate safeguards used with respect to such transfers, please contact the Smollan Information Officer at [Milana.Pretorius@Smollan.com](mailto:Milana.Pretorius@Smollan.com).

### **Cookies and Other Internet Technologies**

This Site uses cookies (i.e., small text files placed on your device) and similar technologies (e.g., pixels and pixel tags, ad tags, clear GIFs, and Javascript) – including cookies and technologies from third-party providers – to enable certain features and functionality and to collect additional information that helps us to improve this Site and our services. This Site may use session cookies (which expire when you close your browser) and persistent cookies (which remain on your device after you close your browser until you delete them or they expire). We use these technologies for security purposes, to help you navigate this Site, to display information more effectively, to better serve you with tailored information on this

Site, and to gather statistical information about how visitors use this Site to continually improve its design and functions.

If you do not want data to be collected from your device via cookies, most browsers have a setting that allows you to decline the use of cookies. Some features of this Site may not work properly if you decline the use of cookies. To learn more about cookies, please visit <https://www.allaboutcookies.org/>

*Google Analytics:* We use Google Analytics, a web analytics tool that may set cookies in your browser, to help us understand how visitors engage with this Site. To learn more about Google Analytics' data practices, please visit <https://support.google.com/analytics/answer/6004245?hl=en>. For opt-out options specific to Google Analytics, please visit <https://tools.google.com/dlpage/gaoptout>.

### **Third Party Websites**

This Privacy Statement does not address, and we are not responsible for, the privacy practices of any third parties, including those that operate websites to which this Site links. The inclusion of a link on this Site does not imply that we or our affiliates endorse the practices of the linked website.

### **Data Security**

We use reasonable organizational, technical, and administrative measures to protect data under our control. Unfortunately, no data transmission over the internet or data storage system can be guaranteed to be 100% secure. If you feel that the security of any of your data that we hold has been compromised, please immediately notify us in accordance with the "Contact Us" section below

### **Exercising your Rights**

You have choices about how your personal data is handled, and we are committed to providing you with reasonable access to your personal data and the ability to review and limit the use of such data in accordance with applicable law.

If you no longer want to receive electronic newsletters you signed up to receive or other marketing communications from Smollan, you can click on the 'unsubscribe' link at the bottom of such communications.

Depending on your country (or U.S. state) of residence, you may have the right to:

- be informed as to how your data is being used
- request confirmation that we are processing your personal data;
- request a copy of the personal data we hold about you;
- request that we update the personal data we hold about you or correct such data that is inaccurate or incomplete;
- restrict the way in which we use your personal data (e.g., if we have no legal right to keep using it) or limit our use of your personal data (e.g., if your personal data is inaccurate or unlawfully held);
- object to our processing of your personal data and/or request that we delete it;
- withdraw the consent that you have given us to process your personal data (where we process your personal data on the basis of your consent);
- request that we delete the personal data we hold about you;

- data portability;
- object to or otherwise obtain clarity relating to how your data is used in relation to automated decision making and profiling; and
- lodge a complaint with the data protection or privacy authority in your country of residence regarding our processing of your personal data.

If you are interested in exercising one or more of the rights described above, you can submit a request to the Smollan Information Officer at Milana.Pretorius@Smollan.com. Please note that we may require proof of your identity before we can give effect to these rights.

We will not discriminate against you if you decide to exercise your rights under applicable law.

Only you or an “Authorized Agent” permitted to act on your behalf may submit a request. An “Authorized Agent” means a natural person or a business entity you have authorized to act on your behalf by providing your written permission. Please note, we may deny a request from an Authorized Agent if they do not submit proof that they have been authorized by you to act on your behalf.

Your request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal data or an Authorized Agent; and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

To verify your identity, we will seek to match any personal data you provide when you (or an Authorized Agent) submit your request to any personal data we already maintain. If we are unable to verify your identity based on the data we maintain, we will let you know.

#### *Additional information for EU/EEA residents*

If you are unsatisfied with the way in which we have handled your personal data or any privacy query or request that you have raised to us, you have a right to complain to the appropriate National Data Protection Authority (“DPA”). To find the contact details of the DPA in your country of residence, please visit [https://ec.europa.eu/newsroom/article29/item-detail.cfm?item\\_id=612080](https://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080).

#### **Data Retention**

We will retain your personal data only for those periods necessary to fulfill the various purposes outlined in this Privacy Statement, unless a longer retention period is required or allowed by law.

#### **Use of this Site by Minors**

We understand the importance of protecting the privacy of minors, especially in the online environment. This Site is not designed for or intentionally targeted at minors under the age of 18, and we request that minors not use this Site. We do not knowingly collect data from minors on this Site. If we become aware that we have received data from a person under the age of 18, we will take reasonable steps to delete such data from our records.

#### **Accuracy of Personal Information**

If your personally identifiable information changes, or if you no longer desire Smollan services, you may request us to correct, update, amend, delete/remove, or deactivate by contacting Smollan at the contact details below:

+27 860 435763 (0860 HELPME) OR [generalcounsel@smollan.co.za](mailto:generalcounsel@smollan.co.za)

Smollan will take reasonable steps to correct or update such information.

Users have a right to access, object to, or oppose, for legitimate reasons, the processing of their personal data in accordance with the applicable laws. Smollan will respond to your request to access within 30 days.

Smollan reserves the right to charge you a reasonable fee to cover our expenses in this regard.

### **Updates to this Privacy Statement**

We may make changes to this Privacy Statement from time to time. The “Effective Date” at the top of this page shows when this Privacy Statement was last revised. Any changes will become effective when we post a revised version of this Privacy Statement on this Site. Your use of this Site is subject to the version of this Privacy Statement that is posted on this Site at the time of your visit. We encourage you to review this Privacy Statement periodically to remain informed about how we are protecting your data.

### **Contact Us**

If you have any comments or questions regarding this Privacy Statement or our data handling practices, or wish to contact our Information Officer, please contact us at [Milana.Pretorius@Smollan.com](mailto:Milana.Pretorius@Smollan.com).