



The preferred global supplier of vine fruit

## **CARPE DIEM RAISINS PRIVACY POLICY**

**THIS PRIVACY POLICY (“PRIVACY POLICY”) APPLIES TO HOW WE COLLECT, USE AND PROCESS YOUR PERSONAL INFORMATION WHEN YOU USE OUR WEBSITE. PLEASE READ THIS PRIVACY POLICY CAREFULLY. PLEASE NOTE IN PARTICULAR THE PARTS THAT ARE IN BOLD WRITING AS THESE PARTS MIGHT LIMIT OUR RISK OR LIABILITY, REQUIRE YOU TO ASSUME RISK AND LIABILITY FOR CERTAIN ISSUES, OR TO ACKNOWLEDGE CERTAIN FACTS.**

### **1. Introduction**

Carpe Diem Raisins Proprietary Limited (Registration Number: 1971/008762/07) (“**CDR**”), as well as its affiliates, holding company and subsidiaries, is committed to the protection of its clients’ and the users of this website’s privacy rights, will treat all personal information collected through this website as strictly private and confidential and will ensure that personal information is collected and processed in line with the provisions of the Protection of Personal Information Act, No. 4 of 2013 (“**POPI**”).

Terms used in this Privacy Policy shall bear the same meaning as contained in POPI, including, *inter alia*, the terms “personal information”, “processing” and “consent”.

Any references herein to “**user**”, “**you**” or “**your**” shall be references to any user of this website, while any references to “**us**”, “**our**” or “**we**” shall be references to CDR (including its employees, agents and affiliates, as applicable).

**By continuing to use our website, you consent to the processing, collection, storage, retention and use of the personal information you provide for the purposes set out in this Privacy Policy, and you consent to our collection of any changes or updates that you may provide to any information you provide that is collected by us. If you do not agree to this Privacy Policy, please do not use our website.**

**Where you provide us with personal information relating to a third-party data subject, you warrant that you have obtained all necessary consents from such data subject, including the data subject's consent for you to share such personal information with CDR to process. We shall protect, store and process this personal information in the same manner and equal level of security as personal information about you.**

### **2. COLLECTION OF PERSONAL INFORMATION**

CDR collects your personal information: (a) directly from you; (b) from other organisations or third parties as appropriate and permitted by law; and (c) where lawful, by using technology to gather information in relation to your

use of this website, including information regarding your operating system, browser, domain name, IP address and the like.

The collection of your personal information by means of technology, as contemplated above, may include the use of the technology known as “cookies”. “Cookies” are small text files transferred by a web server to your hard drive and thereafter stored on your computer. The types of information a “cookie” collects include the date and time you visited this website, your browsing history, your preferences, and your username. Should you wish CDR not to collect your personal information by means of the use of “cookies”, please disable the allowance of “cookies” in your browser settings. Please however note that declining the use of “cookies” may limit your access to certain features of the website.

Personal information may be requested and collected at various locations and on various forms on the website, including but not limited to when you submit an inquiry via our website or when you communicate or otherwise interact with us via our website.

**You may always select not to submit personal information, however, as a result, you may not be able to access certain of our website’s features and/or functionality.**

We may use a third-party company to monitor website traffic, which may, in some instances, store your information, including the personal information you submit to such third parties.

We may collect, process and store the following information (which may include personal information) about you:

- information that you provide by filling in forms on the website;
- information about your device software and hardware, including the unique internet mobile equipment identity (IMEI), number of your mobile telephone, the unique integrated circuit card identity (ICCID) number of your SIM cards in your device, your email address, IP address, mobile phone number;
- your geographic location information based on your mobile network operator's tower details, GPS (Global Positioning System) and/or WIFI communications network location;
- the date and time, country and the IP address of the device from which you connect to our website;
- details of your visits to our website (including, but not limited to, traffic data, location data, weblogs and other communication data and the resources that you access); and
- if you contact us, we may keep a record of that correspondence.

### **3. POPI**

This Privacy Policy and the content provided and/or made available on our website are regulated by or subject to POPI and it is not intended that any provision of the terms herein contained contravene any provision of POPI. Therefore, all provisions herein must be treated as being qualified, to the extent necessary, to ensure that the provisions of POPI are complied with.

No provision herein:

- does or purports to limit or exempt us from any liability (including, without limitation, for any loss directly or indirectly attributable to our gross negligence or wilful default or that of any other person acting for or controlled by us) to the extent that the law does not allow such a limitation or exemption;
- requires you to assume risk or liability for the kind of liability or loss, to the extent that the law does not allow such an assumption of risk or liability; or
- limits or excludes any warranties or obligations which are implied herein by POPI, or other applicable laws, to the extent that the law does not allow them to be limited or excluded.

#### **4. PROCESSING AND USE OF PERSONAL INFORMATION**

CDR will only process your personal information in a manner that is adequate, relevant and not excessive in the applicable circumstances. The processing of your personal information will be done for a purpose compatible with the reason for which it was collected, unless agreed to otherwise or as permitted by law.

CDR may use your personal information to, *inter alia*:

- meet its obligations and responsibilities to you, including for the purposes of performing in terms of any agreements entered into between yourself and CDR;
- enhance your experience and use of this website, measure the effectiveness of the website and information contained thereon and deliver relevant website content to you;
- communicate with you and respond to any queries you may make, including as requested by you or otherwise necessary in respect of any agreements concluded by yourself and CDR;
- process your personal information for ordinary business purposes, including in respect of any agreements concluded between yourself and CDR;
- manage CDR's relationship with you, including notifying you about any changes to this Privacy Policy, asking for your feedback or otherwise;
- administer and protect CDR's business and this website; and/or
- comply with applicable laws.

Please note that CDR may process your personal information without your knowledge or consent, in compliance with applicable laws.

Kindly note that any further applicable terms and conditions stipulated in further agreements concluded between yourself and CDR, or otherwise contained in applicable documents in relation to yourself and/or CDR, shall find application in relation to the processing of your personal information by CDR (to the extent applicable) in addition to this Privacy Policy.

#### **5. DISCLOSURE OF PERSONAL INFORMATION**

CDR will only disclose your personal information if: (a) it is required by law, any legal process or a regulatory authority; (b) there is a public duty to disclose such personal information; (c) a legitimate interest requires such

disclosure; (d) it is required in order to perform under any agreement concluded between CDR and yourself; and/or (e) you consent to such disclosure.

Notwithstanding the generality of the above, CDR may share your personal information with, *inter alia*: (a) its third-party service providers; (b) within its group of companies; (c) with partners or agents involved in delivering any services to you; (d) debt collection agencies (as applicable); and/or (e) law enforcement agencies, regulatory authorities or public authorities (as required by law). Aforementioned disclosures will take place in line with the provisions of POPI.

CDR requires all third parties to respect and protect the integrity of your personal information and we will not sell, rent or trade your personal information to any third party.

## 6. THIRD PARTIES

The website may contain content and links to third-party websites, through which third parties may gain authorised or unauthorised access to your personal information. These terms and conditions do not apply to the collection, processing or use of personal data that you have communicated to third parties. It is in your best interest to acquaint yourself with the rules of personal data protection, and the protection of privacy applied by third parties.

## 7. SECURITY

Your personal information will be treated as confidential and collected, processed and stored in a manner that ensures the integrity thereof. CDR implements generally acceptable standards, procedures and processes in order to protect your personal information from loss, unauthorised access and/or destruction. Aforementioned includes the necessary physical, technological and procedural safeguards.

Should any suspected data security breaches take place, relating to your personal information, CDR will notify you and any applicable regulatory authority in respect thereof (to the extent legally required).

**Please note that the security of personal information transmitted over the internet can however never be fully guaranteed, except if such transmission has been fully encrypted. CDR therefore does not accept responsibility for any loss of, unauthorised access to or destruction of your personal information outside of its control.**

## 8. STORING OF PERSONAL INFORMATION

All personal information collected by CDR is stored securely, with the necessary safeguards put in place to protect its integrity and confidentiality.

Personal information will be deleted or destroyed if it is no longer needed by CDR for the purpose for which it was collected or subsequently processed. Please see paragraph 11 (*How long do we keep your personal information?*) below, for further information in respect of applicable retention periods.

We may, from time to time, transfer, store or host your personal information on servers outside of the Republic of South Africa. We will at all times ensure that appropriate security safeguards are in place to secure and protect such personal information held in another country or that the service provider acts at all times in compliance with applicable privacy laws. Where required under applicable laws we will take measures to ensure that personal

information handled in other countries will receive at least the same level of protection as it is given in this Privacy Policy.

## **9. WHAT RIGHTS DO YOU HAVE AND HOW CAN YOU ASSERT YOUR RIGHTS?**

If you have declared your consent regarding certain collecting, processing and use of your personal information, you can revoke this consent at any time with future effect. Further, you can object to the use of your personal information for the purposes of marketing without incurring any costs other than the transmission costs in accordance with the basic tariffs.

Pursuant to the applicable data protection laws you have the right to: (i) request access to your personal information; (ii) request rectification of your personal information; (iii) request erasure of your personal information; (iv) request restriction of processing of your personal information; (v) request data portability; (vi) object to the processing of your personal information (including objection to profiling); and (vii) object to automated decision making (including profiling).

To exercise your rights please contact us as stated under paragraph 15 (*Questions and further information*) below.

In case of complaints, you also have the right to lodge a complaint with the competent data protection supervisory authority.

## **10. COMMUNICATIONS**

CDR may communicate with you *via* the personal information provided by yourself (such as telephone numbers or email addresses) for the purposes of communicating important, necessary or relevant information to you.

Notwithstanding the generality of the above, CDR may from time-to-time email newsletters to you, which newsletters will contain information which you may find useful or promoting any products or services you might be interested in.

You may contact CDR at [info@cdgroup.co.za](mailto:info@cdgroup.co.za) should you wish to unsubscribe from any of the above general communications. Please note that it is not possible to unsubscribe from communications specific to agreements entered into between yourself and CDR and/or in respect of any ongoing services rendered to you by CDR.

## **11. HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION?**

Your personal information will be retained as long as necessary (i) to provide you with any relevant services, (ii) pursuant to any agreements concluded between yourself and CDR and (iii) as may otherwise be required in law.

The necessary, appropriate retention periods in respect of your personal information shall be determined with due regard being had to the amount, nature and sensitivity of your personal information, as well as the potential risk of or harm from any loss, unauthorised use or disclosure of your personal information.

Once our relationship has come to an end, we will either delete your personal information or anonymize your personal information, unless statutory retention requirements apply (such as for taxation purposes).

We may retain your personal information after the termination of our relationship if your personal information is necessary to comply with other applicable laws or if we need your personal information to establish, exercise or

defend a legal claim, on a need-to-know basis only. To the extent possible, we will restrict the processing of your personal information for such limited purposes after the termination of the contractual relationship.

## **12. MODIFICATION AND DELETION OF PERSONAL INFORMATION**

You are legally entitled to request the modification or deletion of your personal information at any time. Modification or deletion of data shall be effected on the basis of an appropriate written notice addressed to CDR in accordance with paragraph 15 (*Questions and further information*) below.

## **13. UPDATES AND AMENDMENTS TO THIS PRIVACY POLICY**

CDR reserves the right, at any time, for any reason in our sole discretion and without prior notice or liability, to change, modify, amend and/or update this Privacy Policy. Therefore, you should review this Privacy Policy before submitting any information to us.

We will collect, store, use and share your personal information in a manner consistent with the Privacy Policy in effect at the time you submitted the information, unless we receive your consent to the new or revised policy.

## **14. GOVERNING LAWS**

Your use of this website, including any claims or disputes arising therefrom, and this Privacy Policy, will be governed by the laws of the Republic of South Africa.

## **15. QUESTIONS AND FURTHER INFORMATION**

Should you have any questions, requests or complaints regarding this Privacy Policy or requests for any further information relating to the processing of your personal information by CDR, please direct such questions, complaints or requests to [info@cdgroup.co.za](mailto:info@cdgroup.co.za).