



CALLPAY: PRIVACY POLICY

Callpay Respects Your Privacy

Callpay South Africa (Pty) Ltd (“CALLPAY” or the “Company”) respects the privacy of current, future and prospective Users. We are committed to safeguarding your privacy and to acting responsibly and with integrity with regard to protecting your rights and freedoms.

The Protection of Personal Information Act, 4 of 2013 gives effect to the constitutional right to data privacy in terms of Section 14 of the Bill of Rights of the Constitution.

This Privacy Policy informs you of our privacy practices and of the choices you can make about the way information about you is collected and how that information is used by the Company.

This Privacy Policy shall serve as a blanket notification to Users about the Company’s processing activities which will remain valid until revoked by either party.

This Privacy Policy, and the interpretation and enforcement thereof, shall be governed by the laws of the Republic of South Africa.

When you use the CALLPAY website (or interact with us through any other means in respect of the CALLPAY technology) you shall be asked to provide us with personally identifiable information (“**Personal Information**”).

For purposes of this Privacy Policy, “*Personal Information*” means information about a natural person that is readily identifiable to that specific individual. Personal Information includes, among other information, an individual’s name, address, identity and/ or passport number(s), social security number, telephone number, date of birth, password information, and any other personally identifiable information. A domain name or Internet protocol address is not considered Personal Information.

This Privacy Policy tells you about the information the Company may collect on the CALLPAY website and/or its Partners where CALLPAY technology is utilised, how the information is used, how you can access and correct certain information that we may collect and how we safeguard your Personal Information for the purpose of offering you our services.

If you choose to register or submit information to the Company via the CALLPAY website (the “**CALLPAY website**”) and/or its Partners where CALLPAY technology utilised, you agree to the use of such data in accordance with this Privacy Policy. Please note that the CALLPAY website may contain links to other websites, including, without limitation, websites maintained by the Company, and other



affiliated entities of the Company. Also note that the Company may use third parties to host all or portions of, or to assist in maintaining, the CALLPAY websites.

This Privacy Policy describes the Company's privacy practices regarding information collected at any time through any means.

If you have any questions regarding this Privacy Policy, or do not feel that your concerns have been addressed, please direct your questions to us using the appropriate email link set forth in the "[Contact Us](#)" section or via support@callpay.com

You acknowledge that you have read and accept the terms of this Privacy Policy and consent to the use of your Personal Information as set out in this Privacy Policy.

BY ACCESSING AND USING THE CALLPAY WEBSITE AND/ OR BY MAKING ANY SUBMISSION OF DATA AND INFORMATION IN WHATEVER FORMAT, THE USER CONSENTS TO THE PROCESSING OF THEIR PERSONAL INFORMATION BY THE COMPANY ON THE BASIS SET OUT IN THIS PRIVACY POLICY. IF THE USER DOES NOT CONSENT, THE USER MUST IMMEDIATELY STOP ACCESSING AND/OR USING THE CALLPAY WEBSITE.

Definitions and Interpretation

In this Privacy Policy, the following words bear the following meanings:

- i. **"child(ren) or minor"** means any natural person under the age of 18 (eighteen) years;
- ii. **"CALLPAY"** or the **"Company"** means Callpay South Africa (Pty) Ltd, with Company Registration Number 2017/021680/07, having its registered address at Unit 92, Eden On The Bay, 5 Beach Estate Blvd, Big Bay, Cape Town, 7441 and includes its affiliated, holding and/or subsidiary companies; "CALLPAY" also encompasses the proprietary software/technology that "Callpay South Africa (Pty) Ltd" incorporates in order to collate opt-in leads as well as other elements linked to it of which Callpay South Africa (Pty) Ltd is the registered owner of the technology;
- iii. **"consent"** means any voluntary, specific and informed expression of will in terms of which permission is given by or on behalf of a User for the processing of their Personal Information;
- iv. **"data breach"** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Information under the control of or in the possession of CALLPAY;
- v. **"data subject"** means the person to whom Personal Information relates and has the meaning ascribed thereto under POPIA;



- vi. **“direct marketing”** means to approach a data subject, either in person or by mail or electronic communication, for the direct or indirect purpose of promoting or offering to supply, in the ordinary course of business, any goods or services to the data subject;
- vii. **“information officer”** means the Information Officer of the Company;
- viii. **“operator”** means a person or entity who processes Personal Information for or on behalf of a responsible party (i.e. the Company) in terms of a contract or mandate, without coming under the direct authority of that responsible party;
- ix. **“Our”** or **“We”** or **“Us”** means the Company;
- x. **“Personal Information”** has the meaning ascribed to it in Section 1 of POPIA and specifically includes any form of information that can be used to identify a data subject;
- xi. **“POPIA”** means the Protection of Personal Information Act (Act 4 of 2013), including any regulations or codes of conduct promulgated under it;
- xii. **“process or processing”** means, in relation to Personal Information, any operation or activity or any set of operations, whether or not by automatic means, including:
 - a. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use of information,
 - b. dissemination by means of transmission, distribution or making available in any other form, or
 - c. merging, linking, as well as restriction, degradation, erasure or destruction of information;
- xiii. **“Regulator”** means the Information Regulator established in terms of POPIA;
- xiv. **“responsible party”** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information;
- xv. **“special Personal Information ”** means Personal Information concerning a data subject's religious or philosophical beliefs, race or ethnic origin, trade union membership, political opinions, health, sexual life, biometric information or criminal behaviour;
- xvi. **“CALLPAY website”** means the CALLPAY website or any part thereof which is accessible from www.callpay.com
- xvii. **“User”** means a visitor or user of this CALLPAY website, or any of the content or services associated with the CALLPAY website; and
- xviii. **“You”** or **“Your”** means each person, group of individuals, entity or entities.

English and Translated Versions

If you are reading a translation of this Privacy Policy in a language other than English, you acknowledge and agree that (i) the English version is the binding version; (ii) the non-English version is provided for your convenience only and the translation will not be valid as an agreement; and (iii) in the event of any



inconsistency between the English and a non-English version, the English version will prevail and govern.

Responsible Party

CALLPAY will be the party who will be collecting and processing a User's Personal Information and is the "responsible party" for the purposes of this Policy.

In accordance with the disclosure requirements of ECTA (the Electronic Communications and Transactions Act, Act 25 of 2002) CALLPAY's contact details are as follows:

- i. Physical address:
- ii. Telephone number:
- iii. Email address:
- iv. CALLPAY website address:

CALLPAY may instruct third party operators from time to time to undertake certain processing activities relating to the User's Personal Information.

Personal Information Collection

The Company collects, exports, and uses Personal Information to manage your relationship with the Company and better serve you by personalising your experience and interaction with the Company. Such collection is done with appropriate notice and consent, along with required filings with data protection authorities, where required.

The Company may collect your Personal Information through your access and use of the CALLPAY website, web-based applications, or mobile applications, during conversations or correspondence with the Company representatives, or when you purchase goods or services or complete an online application form.

The Company may collect Personal Information from you in connection with:

- i. product or service orders, activations, and registrations
- ii. profile creation and User verification for online services
- iii. information requests or complaints
- iv. marketing or survey participation, newsletter or support subscriptions
- v. visits or browsing on the CALLPAY website(s)



The type of Personal Information the Company may collect from you includes, but is not limited to:

- i. personal and/or business contact information, such as initials, first name, surname, identity number and/or date of birth, physical and postal address, telephone and cell phone numbers, and email address
- ii. gender, nationality, age, language preference
- iii. a User's credit information and history
- iv. a User's personal opinions, views or preferences
- v. other unique information such as User IDs and passwords, product functionality, product and service preferences, contact preferences, educational and employment background
- vi. geo-location data such as your IP address or physical location when you request location-based services
- vii. details of the products and/or services you have (i) signed up and registered for, or (ii) purchased from us and/or third parties or which you have enquired about, together with any additional information necessary to provide those products and/or services and to respond to your enquiries
- viii. any additional information relating to you that you provide to us directly through our CALLPAY websites or indirectly through use of our CALLPAY websites or online presence, through our representatives or otherwise
- ix. information you provide to us through our service centre or customer/User surveys from time to time

We do not usually seek special Personal Information from CALLPAY website visitors. We will, where necessary, obtain your express consent to collect and use such information.

The Company may also collect some information that is not Personal Information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys or aggregated information about how Users use our CALLPAY websites, products or services.

The supply of Personal Information by the User to the Company is voluntary and not mandatory. However, if the User refuses to supply any Personal Information, certain consequences may naturally flow from such a refusal, such as preventing the Company from concluding or performing any contract with the User, or preventing the Company from complying with one or more of its obligations in law.

Why we collect your Personal Information & The Way We Use Personal Information

The Company shall only collect a User's Personal Information for a specific, explicitly defined and lawful purpose relating to a function or activity of the Company's business.



The Company may use a User's Personal Information for various purposes including, but not limited to, the following:

- i. -to enter into a contract with a User
- ii. -to perform any obligations under a contract with a User
- iii. -to provide our services and enable Users to avail themselves of our services
- iv. -to present content to the User in the most effective way for them and their viewing device and browser
- v. -to customise and display content including, but not limited to products, articles, listings and advertisement to the User in a way that the Company feels may interest the User or be most beneficial to them
- vi. -to send content including, but not limited to products, articles, listings and advertisement content to the User via email or other electronic media, where the User has consented to be contacted by the Company with such content
- vii. -to enable the User to voluntarily participate in interactive features on the CALLPAY website
- viii. -to contact Users in response to inquiries, comments and suggestions
- ix. -to otherwise contact and/or interact with Users
- x. -for the specific purpose for which it was volunteered
- xi. -to process Personal Information for direct marketing purposes (unless the User has opted out of receiving any direct marketing material)
- xii. -to protect a legitimate interest of a User (unless the User has specifically objected in writing to all or some of the processing activities on reasonable grounds)
- xiii. -to track User use of the CALLPAY website for internal market research
- xiv. -to improve the CALLPAY website and the products and/or services we promote or provide through the CALLPAY website
- xv. -to notify Users about upcoming specials, promotions and events
- xvi. -to notify the User about changes to the CALLPAY website
- xvii. -to pursue its own legitimate interests or the legitimate interests of a third party who it is sharing the information with (unless the User has specifically objected in writing to all or some of the processing activities on reasonable grounds)
- xviii. -to be provided to third-party service providers in connection with the legitimate business purposes of the Company, its contractors or the CALLPAY website
- xix. -to enforce this Privacy Policy as required by law or regulation, or as requested by government or regulatory authorities
- xx. -in connection with an acquisition, merger, restructuring, sale or other transfer involving all or any portion of the business associated with the CALLPAY website



If the Company intends to process a User's Personal Information for any other purpose not listed hereinabove or which is otherwise not automatically permitted by law, it shall ensure that it obtains the User's written consent to do so.

By submitting the aforementioned information, a User will be deemed to have consented to its use for such purposes.

Personal Information collected on the CALLPAY website may be stored and processed in the Republic of South Africa or any other country in which the Company (or its affiliates, subsidiaries, and divisions and their respective third-party business partners, affiliates and suppliers) maintain facilities.

The Parties To Whom Your Information is Disclosed

By voluntarily submitting your Personal Information, you consent to the collection and use of your Personal Information as described in this Privacy Policy.

Accordingly, your Personal Information may be disclosed for processing to any of the following persons or entities: (i) any companies within our group and their employees who have a need to know such information; (ii) any auditors, contractors or other advisers auditing any of our companies; (iii) any payment processors, banks and/ or financial institutions who assist us in receiving and making payments to and from you, where applicable; (iv) people and organisations who provide a service to us or are acting as our agents, on the understanding that they will keep the information confidential; and (v) anyone to whom we transfer or may transfer all or any part of our business or assets, from whom we acquire any business or assets or who acquires substantially all of the assets of the Company. Any processing performed by any of the aforementioned persons or entities will, if required by law, be governed by an agreement protecting your Personal Information.

Due to the prevailing legal, regulatory, and security environment, the Company may be required, under certain circumstances, to disclose aggregated level and/or personally identifiable information submitted to the Company through the CALLPAY website. The Company will use reasonable efforts to limit such disclosures to the following circumstances: (i) where the Company believes in good faith that it is required to do so in response to a subpoena or other legal process; (ii) where reasonably required to do so in order to maintain, update or otherwise implement the Company's data security measures, equipment, technical operations and the like; (iii) where reasonably necessary to identify, contact, or bring legal action against persons or entities to preserve and/or enforce the Company's rights, including but not limited to enforcing the Terms and Conditions for the CALLPAY website; (iv) protect and defend the rights or property of the Company; or (v) in urgent circumstances to protect the personal safety of the public or of Users of the Company products, services, and the CALLPAY website.

In addition, the Company may also disclose Personal Information in connection with the sale, assignment, or other transfer of the Company business or any part thereof, or as part of a security audit.



Children / Minor's Privacy

We define children as individuals under the age of 18 (eighteen). Our Services are not directed to persons under 18. We do not knowingly solicit or collect Personal Information from children under 18. If a parent or guardian becomes aware that his or her child has provided us with Personal Information without such parent or guardian's consent, he or she should contact us. If we become aware that a child under 18 has provided us with Personal Information, we will delete such information from our files.

Your Rights in relation to your Personal Information

Where we process your personal data, you have a number of rights over how the data is processed and can exercise these rights at any point. We provide an overview of these rights below together with what this entails for you. You can exercise your rights by submitting a request through the "[Contact Us](#)" form on our website.

- i. The right to be informed. You have the right to be provided with clear, transparent and easily understandable information about how we use your personal data and your rights.
- ii. The right to access and rectification / correction. You have the right to access, correct or update your personal data at any time.
- iii. The right to restrict processing. Under certain circumstances, you have the right to restrict the processing of your personal data.
- iv. The right to object. Under certain circumstances, you have the right to object to certain types of processing, including processing for direct marketing.
- v. The right to lodge a complaint with a regulatory authority. You have the right to lodge a complaint directly with the Information Regulator (the "Regulator") about how we process your personal data.
- vi. The right to withdraw consent. If you have given your consent to anything we do with your personal data (i.e., we rely on consent as a legal basis for processing your personal data), you have the right to withdraw your consent at any time (kindly note: if you do so, it does not mean that anything we have done with your personal data with your consent up to that point is unlawful). You can withdraw your consent to the processing of your personal data at any time by contacting us.
- vii. Rights related to automated decision-making. You have the right not to be subject to a decision which is based solely on automated processing and which produces legal or other significant effects on you. In particular, you have the right to:
 - obtain human intervention;
 - express your point of view;
 - obtain an explanation of the decision reached after an assessment; and
 - challenge such a decision.

Further information and advice about your rights can be obtained from the Regulator.



Security & Protection of Your Personal Information

We have implemented suitable security policies, rules and technical measures to protect and safeguard all the Personal Information under our control from unauthorized access, improper use or disclosure, unauthorized modification, unlawful destruction or accidental loss.

The Company makes substantial efforts to protect the confidentiality of the Personal Information, preferences and other information it has collected through the CALLPAY website and will never knowingly allow access to this information to anyone outside the Company other than as described herein. The Company has made a substantial investment in its server, database, backup and firewall technologies to protect the information assets of the Company network, including the confidentiality of Personal Information collected through the CALLPAY website. These technologies are deployed as part of a sophisticated security architecture and protocol.

You should also do your part in protecting your information. Your Username and any password (if such are provided or enacted) are confidential, and we recommend that you not divulge them to anyone. Unfortunately, due to the nature of the Internet as a public transmission network, neither the Company's network nor data transmission over the Internet can be guaranteed to be 100% secure. As a result, while we strive to protect Personal Information that is transmitted to us by you, the Company cannot ensure or warrant the security of such information. Thus, any Personal Information transmitted to us is done so at your own risk. Once we receive Personal Information, the Company makes substantial efforts to protect the confidentiality of this information consistent with this Privacy Policy.

Breaches of Personal Information

A data breach refers to any incident in terms of which reasonable grounds exist to believe that the Personal Information of a data subject has been accessed or acquired by any unauthorised person.

A data breach can happen for many reasons, which include, but is not limited to: (a) loss or theft of data or equipment on which Personal Information is stored; (b) inappropriate access controls allowing unauthorised use; (c) equipment failure; (d) human error; (e) unforeseen circumstances beyond our reasonable control, such as a fire or flood; (f) deliberate attacks on systems, such as hacking, DDOS attacks, viruses or phishing scams; and/or (g) alteration of Personal Information without permission and loss of availability of Personal Information.

CALLPAY will address any data breach in accordance with the terms of POPIA.

CALLPAY will notify the Regulator and the affected data subject (unless the applicable law or a government authority requires that we delay notification to the data subject) in writing in the event of a data breach (or a reasonable belief of a data breach) in respect of that data subject's Personal Information.



CALLPAY will provide such notification as soon as reasonably possible after it has become aware of any data breach in respect of such data subject's Personal Information.

Where CALLPAY acts as an "operator" for purposes of POPIA and should any data breach affect the data of data subjects whose information CALLPAY processes as an operator, CALLPAY shall (in terms of POPIA) notify the relevant responsible party immediately where there are reasonable grounds to believe that the Personal Information of relevant data subjects has been accessed or acquired by any unauthorised person.

Cookies

We (and/ or other parties whom we duly authorise to do so (for example, third- party advertising services or sponsors)) use cookies and other technologies to enhance your online experience and to learn about how you use our services.

Cookies are pieces of information that a website transfers to an individual's hard drive for record-keeping purposes. The use of cookies is an industry standard, and you will find cookies at most major websites. Cookies help the Company to tailor information to your preferences and to see which areas of the CALLPAY website are frequented most. The Company never uses cookies to retrieve information from your computer that was not originally sent in a cookie. Most browsers are initially set to accept cookies. If you prefer, you can change your browser settings to refuse cookies. However, in so doing, you may not be able to fully utilize the CALLPAY website. For legitimate security reasons, we may refuse access to specific CALLPAY website content unless you accept the use of a cookie or similar device.

Social Media Platforms

Communication, engagement and actions taken through external social media platforms in which the Company and the CALLPAY website participate are subject to the terms and conditions and privacy policies of each social media platform respectively.

You are advised to use social media platforms wisely and to communicate upon them with due care & caution, having regard to their respective privacy and personal details policies.

The CALLPAY website may use social sharing buttons, which help share web content directly from web pages to the social media platform concerned. You are advised before using such social sharing buttons that you do so at your own discretion and risk, and that the relevant social media platform may track and save your request to share a web page through your relevant social media platform account itself.



Banner Ads

Banner ads may be used to advertise our services and/or the promotion(s). The CALLPAY website will track the number of clicks on such ads for analytical and marketing purposes.

Intellectual Property / Ownership

The contents of the CALLPAY website, including any material, information, data, software, icons, text, graphics, lay-outs, images, sound clips, advertisements, video clips, trade names, logos, trade-marks, designs & service marks which are displayed on or incorporated in the CALLPAY website are protected by law, including but not limited to copyright & trade mark law. The CALLPAY website & its contents are the property of the Company, and you will not, under any circumstances, acquire any right and title therein or use, distribute or reproduce the contents of the CALLPAY website in any way other than as is set out herein.

You may not download (all or in part) for non-personal use or otherwise reproduce, transmit or modify the CALLPAY website without our prior permission. However, you may print out part or all of the CALLPAY website for your own personal use. These permissions are revocable by us at any time. You are granted a non-exclusive license of those rights in order to view the CALLPAY website on a non-commercial basis only, revocable at any time.

Security: Viruses, Trojans, Worms or Equivalent

You must ensure that viruses, trojans, worms or equivalent or similar items do not enter your computer system or smartphone. We assume no responsibility for loss of whatever nature, howsoever arising, resulting from such viruses, trojans, worms or equivalent or similar items.

Links to Third-Party Websites, Applications, Products, Services, etc

The CALLPAY websites or services may provide links to third-party applications, products, services, or websites for your convenience and information. If you access those links, you will leave the CALLPAY website. The Company does not control those third-party websites or their privacy practices, which may differ from the Company's practices. We do not endorse or make any representations about third-party websites. The personal data you choose to provide to or that is collected by these third parties is not covered by this Privacy Policy. We encourage you to review the privacy policy of any website you interact with before allowing the collection and use of your Personal Information.

We may also provide social media features that enable you to share information with your social networks and to interact with the Company on various social media websites. Your use of these features may result in the collection or sharing of information about you, depending on the feature. We similarly encourage you to review the privacy policies and settings on the social media websites with which you



interact to make sure you understand the information that may be collected, used, and shared by those websites.

Choices Regarding Use of Personal Information (Opt-Out)

Should you at any time decide that you do not want to continue to receive electronic communications (e.g. email announcements, notifications or special promotions) from us, you will have the ability to unsubscribe or “opt out” from such communications by means of a link provided in each such communication, or, if not provided therein, by sending an email or contacting us at the contact details provided in the "[Contact Us](#)" section.

Objection

You have the right, on reasonable grounds, to object to our processing of data about you and we will consider your request. Please provide us with detail, by sending an email or contacting us at the contact details provided in the "[Contact Us](#)" section, as to your reasoning so that we can assess whether there is a compelling overriding interest in us continuing to process such data or we need to process it in relation to legal claims.

You also have the right, at any time, to object to our processing of data about you in order to send you marketing material, including where we build profiles for such purposes and we will stop processing the data for that purpose.

Accuracy, Access to and Updating Your Personal Information

The Company aims to keep your Personal Information as accurate as possible.

Should you at any time desire to access, review, correct, update or delete your Personal Information, you may do so by contacting us using the contact information outlined in the "[Contact Us](#)" section. The Company will comply with such requests as soon as commercially reasonable or determined by statutory law. In order to ensure the safety of Personal Information, please note you may be subject to providing sufficient evidence of your identity at the time of any such request before any Personal Information records will be made available by the Company.

Data Retention

The Personal Information that you submit to the Company will only be retained for as long as required for the purposes for which it was collected or for other essential purposes such as complying with our legal obligations, maintaining business and financial records, resolving disputes, maintaining security, detecting and preventing fraud and abuse, and enforcing our agreements.



Returning, Destroying or Deleting Personal Information

Where the Company is no longer authorised to retain a record of any Personal Information, it shall either:

- i. ensure that the information is permanently destroyed or deleted as soon as reasonably practicable; or
- ii. return the information to the User or transfer it to a third party, if requested by the User in writing to do so.

Changes to this Privacy Policy

The Company reserves the right to change, amend or modify this Privacy Policy at any time and without prior notice to you in response to changes in applicable data protection and privacy legislation. Such amendments will be published on the CALLPAY website and will apply from the date of such publication.

Please check the Privacy Policy frequently for changes. Your continued use of the CALLPAY website following the posting of changes to these terms will mean you accept those changes.

The Company will take reasonable measures to notify you if there is a material change in our privacy practices with respect to use of the information you have provided to the Company. The Company will conspicuously post these changes in our Privacy Policy.

Calls

We may record and monitor calls made or received by us to maintain high quality service standards, to check instructions and for your protection and ours.

General Principles

The Company is committed to safeguarding the privacy of your information. By "your information" we mean any information about you, which you or third parties provide to us. This Privacy Policy relates to the privacy of your information and outlines our commitment to the secure and responsible handling of information about our customers and visitors to our CALLPAY websites across the globe.

Contact Us: The Regulator

We value your opinions. If you have comments, questions, concerns or complaints regarding your Personal Information or this Privacy Policy, please write to us at "[Contact Us](#)" or use the following:

Tel:

Physical Address:

Postal Address:

Information Officer – Email Address: nicole@callpay.com



We will treat your requests and/or complaints confidentially. Our representative will contact you within a reasonable time after receipt of your complaint and/or concern and/or query to address the same and outline options regarding how they may be resolved or addressed. We will aim to ensure that your complaint and/or concern and/or query is resolved in a timely and appropriate manner.

If a data subject is dissatisfied with the manner in which CALLPAY addresses any complaint with regard to its processing of Personal Information, the data subject can contact the office of the Information Regulator, the details of which are:

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Website: <https://infoeregulator.org.za/>

Tel: +27 (0)10 023 5200

General enquiries: enquiries@infoeregulator.org.za

POPIA complaints: POPIAComplaints@infoeregulator.org.za

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