

Privacy Policy

1 Definitions

- 1.1 “Cookies” refers to small text files transferred by a web server to, and stored on, your hard drive which help you to navigate the Website as easily as possible.
- 1.2 “Data Prime” refers to Data Prime Solutions Proprietary Limited, a company duly registered in terms of the laws of the Republic of South Africa with registration number: 2007/019346/07.
- 1.3 “Information Regulator” refers to the Information Regulator established in terms of section 39 of POPIA.
- 1.4 “Personal Information” refers to Personal Information as defined in POPIA and/or third party information provided by you pursuant to your use of the Website.
- 1.5 “POPIA” refers to the Protection of Personal Information Act, 4 of 2013, as amended.
- 1.6 “Privacy Policy” means this privacy policy.
- 1.7 “Services” refers to the services provided by Data Prime from time to time, including the services provided via its proprietary software and/or the Website.
- 1.8 “Website” refers to, and includes any part or element of, www.draftworx.com and any sub-site or other website owned or used by Data Prime from time to time.

2 Introduction

- 2.1 **Data Prime respects your privacy and is committed to processing and protecting your Personal Information in a lawful, fair and transparent manner.**
- 2.2 By using the Website and accessing the Services, or disclosing Personal Information to Data Prime, you agree to be bound by this Privacy Policy and consent to the processing of your Data as set forth herein. If you do not agree to and accept this Privacy Policy, you should not use the Website or access the Services.
- 2.3 This Privacy Policy relates solely to the Website and the Services. The Website may contain links to websites operated by third parties. Data Prime is not responsible for the content provided in respect of such websites and/or the privacy policies of such websites and it is recommended that you refer directly to these third parties regarding their privacy policies before supplying any information to them.
- 2.4 The terms defined in the Draftworx Cloud Services Terms and Conditions shall have the same meanings in this Privacy Policy.

3 What information is collected?

- 3.1 When you use or visit the Website, Data Prime may collect certain information from you that is not Personal Information, such as your Internet Protocol (“IP”) address, operating system, browser type, and internet service provider. This type of information does not identify you personally.

- 3.2 In order to use the Services, you will be required to register an Account, which entails the disclosure to Data Prime of certain Personal Information, including your first and last names, telephone numbers, physical, postal and e-mail addresses, banking and/or credit card details.
- 3.3 In addition, the Services entail the collection of Personal Information from you such as accounting and financial information, registration numbers and tax numbers and the storage of that Personal Information. This Personal Information may contain information about you but may also include someone else's Personal Information provided by you.
- 3.4 If you use the Services to collect a third party's Personal Information:
- 3.4.1 you must ensure that such third party is aware of the disclosure of the Personal Information to Data Prime and the provisions of this Privacy Policy;
- 3.4.2 you warrant that such third party has consented to the disclosure of that Personal Information to Data Prime and this Privacy Policy; and
- 3.4.3 you agree that you will be responsible for any such Personal Information disclosed to Data Prime and will, upon request, assist Data Prime with responding to any requests from such third party, including but not limited to requests to access, delete or otherwise change their Personal Information.
- 3.5 Personal Information may also be collected in the form of error logs stored by Data Prime from time to time. These error logs are typically retained for a period of 30 days, whereafter they are deleted.

4 How is my information used?

By accessing the Services and using the Website, or disclosing Personal Information to Data Prime, you hereby acknowledge and agree that:

- 4.1 Your Personal Information is stored and collected for purposes of providing the Services, registration and verification, communicating with you, understanding how you use the Services, marketing and advertising, aggregation of accounting and financial information, to assist with technical support or otherwise as may be required by law.
- 4.2 Data Prime may access, aggregate and use your and your Users' non-Personal Information in order to improve the Services and provide Data Prime with better information regarding the Services.
- 4.3 Data Prime will use your Personal Information to contact you about promotions, news, updates and other information relating to the Services, and shall be entitled to send you communications regarding the operation of the Website as well as your continued use of the Services. Should you wish to opt out of certain communications received from Data Prime, you may do so by changing your preferences in relation to your Account.
- 4.4 Data Prime may access your Personal Information to carry out any agreements with you, enforce an agreement with you or respond to any queries you make.
- 4.5 Data Prime will process your Personal Information in accordance with its obligations in terms of the relevant laws, including the Electronic Communications and Transactions Act, 25 of 2002, and in the Protection of Personal Information Act, 4 of 2013 and in doing so, Data Prime undertakes not request unnecessary Personal Information,

process your Personal Information outside the legitimate purpose for which it was collected, share, rent or sell your Personal Information disclosed to it with third parties except when you have consented or directed Data Prime to share the Personal Information with service providers, affiliates and partners who perform services on Data Prime's behalf, in the event that Data Prime is involved in a merger, acquisition or the sale of all or a part of its assets, or as may be required by law or when, in the sole opinion of Data Prime, it is necessary to do so to protect its rights or your safety or the safety of others, or to investigate and/or prevent fraud or a breach of security.

5 Where is my information stored?

- 5.1 Your Personal Information is stored on servers hosted by Amazon Web Services Inc. in the United Kingdom, Republic of Ireland, United States and/or South Africa. The hosting provider is bound by a privacy agreement entered into with Data Prime and your Personal Information is stored securely, privately and is accessed using encrypted channels. In case of fire or damage to these servers, a backup solution exists to ensure no single point of failure.
- 5.2 By using the Website, the Services or disclosing your Personal Information to Data Prime, you consent to the transfer of your Personal Information to servers located outside of South Africa.

6 Is my information secure?

- 6.1 Data Prime uses reasonable technical and organisational measures to secure the integrity of the Personal Information under its control and to prevent the loss of, damage to or unauthorised destruction of your Personal Information and unlawful access to or processing of your Personal Information.
- 6.2 All Personal Information is stored in a secure database which is protected behind firewalls and is hosted in such a way that the database itself is not accessible to the outside world. However, the transmission of Personal Information via the internet is at your own risk and Data Prime accepts no responsibility or liability for any security breach or in the event your Personal Information is damaged, loss disclosed, copied or modified in any unauthorised manner.
- 6.3 The Website retrieves your Personal Information and presents it to you through a secure encrypted channel that cannot be viewed by anyone but yourself or parties authorised by you.
- 6.4 Data Prime is also committed to protecting your Personal Information offline by ensuring that all of your Personal Information, and not just sensitive information, is restricted to only those employees of Data Prime who need it to perform a specific task. For example, an administration officer may need access to your bank details to verify a direct debit authority or a customer service representative may need to identify you to inform you of an upgrade.
- 6.5 When a significant change in the procession of Personal Information is introduced, Data Prime will undertake a data protection impact assessment prior to implementing such change.
- 6.6 Data Prime maintains a personal information breach register under the control of its information officer and ensures that its employees remain aware of their responsibilities with regard to breaches of the protection of Personal Information. Where Data Prime has reasonable grounds to believe that your Personal Information under its control has been accessed or acquired by an unauthorised person, Data Prime will notify you and the Information Regulator without delay in accordance with the requirements of POPIA.

7 How long is my information retained for?

Your Personal Information will be stored, processed and used by Data Prime at its operating offices only for so long as your Account is active and as may be necessary to provide the Services, comply with any applicable laws, resolve disputes and to enforce its agreements.

8 What are my rights?

8.1 You have the right, at any time, to know whether your Personal Information is being stored or processed by Data Prime, consult with Data Prime as to the contents and rationale for processing of such Personal Information, view and request copies of your Personal Information, to verify the accuracy of your Personal Information or to request that the Personal Information be updated, supplemented or corrected, withdraw a previously given consent for the processing or automated processing of your Personal Information, object to the processing of your Personal Information for any and all legitimate reasons, or to ask for the deletion of your Personal Information. Any request pursuant to this **clause** must be addressed to Data Prime's information officer in writing by way of e-mail to the e-mail address below.

8.2 You also have the right to lodge a complaint with the Information Regulator regarding the processing of your Personal Information. The contact details of the Information Regulator are as follows:

JD House, 27 Stiemans Street, Braamfontein, Johannesburg 2001

PO Box 31533, Braamfontein, Johannesburg, 2017

Tel No. +27 (0) 10 023 5200

E-mail: complaints.IR@justice.gov.za

9 Cookies

9.1 Data Prime may use Cookies to manage your sessions and store preferences, tracking information and language selection. The types of information a Cookie collects include the date and time of your visits to the Website, your browsing history on the Website, your preferences and your username (if any).

9.2 Cookies enable Data Prime to:

9.2.1 estimate the size and usage pattern of the Website's audience;

9.2.2 store information about your preferences, which allows Data Prime to customise the Website to your individual interests;

9.2.3 speed up your searches; and

9.2.4 recognise you when you return to the Website.

9.3 In some instances, Data Prime's third party service providers may use Cookies on the Website. Data Prime cannot control or access Cookies used by third party service providers. This Privacy Policy covers only Cookies used by Data Prime but not any Cookies used by third parties.

- 9.4 You have the ability to accept or decline the use of Cookies on your computer. Typically, you can configure your browser not to accept Cookies. However, declining the use of Cookies may limit your access to certain features of the Website.

10 Disclosures

- 10.1 On rare occasions, Data Prime may be required to disclose your Personal Information due to legal or regulatory requirements. In such instances Data Prime reserves the right to disclose your Personal Information as required in order to comply with its legal obligations including complying with court orders, warrants, subpoenas, service of process requirements or discovery requests.
- 10.2 Data Prime may also disclose information about you to law enforcement officers or others, in the good-faith belief that such disclosure is reasonably necessary to enforce its terms and conditions or this privacy policy or respond to legal claims, to protect its intellectual property rights or the personal safety of its employees, officers, directors, agents or contractors or the general public.
- 10.3 We will notify you of any transaction in which substantially all of our assets which contain your Personal Information are sold to or merged into another company. The acquiring company will be given access to your Personal Information without your consent.

11 Children

Data Prime does not knowingly store or process Personal Information of persons under the age of 18.

12 The Details of Data Prime's Information Officer

All questions, queries or requests you may have in relation to this Privacy Policy and/or your Personal Information should be addressed to Data Prime's information officer at the following address:

Information Officer: Mr. Earl Steyn

Telephone: 0861515153

E-mail: info@dataprime.co.za

13 Amendment of this Policy

Data Prime reserves the right to amend this Privacy Policy, from time to time. Such amendments shall be effected by way of publication thereof on the Website, and you waive any right you may have to receive specific notice of such amendments.

Last Updated: 26 January 2022