

PRIVACY POLICY

THIS PRIVACY POLICY APPLIES TO HOW WE COLLECT, USE AND PROCESS YOUR PERSONAL INFORMATION AND, IN SOME INSTANCES, SPECIAL PERSONAL INFORMATION. PLEASE READ OUR PRIVACY POLICY CAREFULLY BEFORE YOU MAKE USE OF OUR WEBSITE AND/OR PROVIDE US WITH ANY OF YOUR PERSONAL INFORMATION.

BY FURNISHING US WITH YOUR PERSONAL INFORMATION, YOU CONSENT TO US PROCESSING YOUR PERSONAL INFORMATION IN ACCORDANCE WITH THIS PRIVACY POLICY.

THE RESPONSIBLE USE OF OUR WEBSITE AND RELATED RESOURCES IS IMPORTANT TO US AND IN THE EVENT THAT ANY OF THE PROVISIONS OF THIS PRIVACY POLICY ARE OF CONCERN TO YOU, WE REQUEST THAT YOU DO NOT CONTINUE TO ENGAGE WITH US OR MAKE USE OF OUR WEBSITE AND/OR PRODUCTS AND/OR SERVICES.

1. Introduction

- 1.1 Orange Executive Cars (Registration Number: 2016/478893/07) (“Orange”) conducts its business as a private company duly incorporated in accordance with the company laws of the Republic of South Africa.
- 1.2 The Protection of Personal Information Act No. 4 of 2013 (“POPIA”) aims to give effect to the constitutional right to privacy, by safeguarding personal information when processed by a responsible party. We determine the purpose of and means for processing of your Personal Information and, accordingly, we are a responsible party in respect of your Personal Information.
- 1.3 In terms of Section 14 of the Constitution of the Republic of South Africa everyone has the right to privacy, and we are committed to protecting and respecting your right to privacy. We take your privacy and the protection of your Personal Information seriously and shall only process your Personal Information lawfully and in accordance with POPIA and this Privacy Policy.
- 1.4 Where an authorised Operator processes your Personal Information for or on our behalf, we shall ensure that such person, as a condition of receiving your Personal Information, undertakes and agrees in writing to process your Personal Information in accordance with POPIA and the terms of this Privacy Policy.
- 1.5 The purpose of this this Privacy Policy is to explain how we process your Personal Information, when you engage with us, make use of our products and/or services, provide us with your products and/or services and access our website and/or other electronic or mobile platforms.

- 1.6 An Information Officer has been appointed who is responsible for, *inter alia*, ensuring our compliance with POPIA and the eight conditions for lawful processing of your Personal Information, as well as assisting you with any queries or requests for access to, the correction or deletion of an of your Personal Information.
- 1.7 Our appointed Information Officer is Letlakana Pencil Stanley Thubakgale and you may contact him at info@orangeexecutivecars.com should you have any questions relating to this Privacy Policy and in order to discuss this Privacy Policy.

2. Personal Information and Processing

- 2.1 Personal Information refers to information in respect of an identifiable, living, natural person, or where applicable, and identifiable existing juristic person, including, but not limited to:-
 - 2.1.1 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;
 - 2.1.2 information relating to the education or the medical, financial, criminal or employment history of the person;
 - 2.1.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 2.1.4 the biometric information of the person;
 - 2.1.5 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;
 - 2.1.6 the views or opinions of another individual about the person; and
 - 2.1.7 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.
- 2.2 Special Personal Information is Personal Information concerning:-
 - 2.2.1 the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or
 - 2.2.2 the criminal behaviour of a data subject to the extent that such information relates to:
 - 2.2.2.1 the alleged commission by a data subject of any offence; or

2.2.2.2 any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

2.3 Processing of Personal Information involves any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:-

2.3.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

2.3.2 dissemination by means of transmission, distribution or making available in any other form; or

2.3.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.

2.4 When you engage with us, make use of our products and/or services, provide us with your products and/or services and access our website and/or other electronic or mobile platforms, we may process your Personal Information in relation to, but not limited to, your identity information, contact information, financial information, transaction information, technical information, usage information, location information, and marketing and communications information.

2.5 We may, in certain limited circumstances, process your Special Personal Information in accordance with the provisions of POPIA and where necessary, obtain your explicit consent to process your Special Personal Information.

3. Consent to Processing your Personal Information

3.1 When you engage with us, make use of our products and/or services, provide us with your products and/or services and access our website and/or other electronic or mobile platforms, we may process your Personal Information, and may collect, acquire, receive, record, organise, collate, store, update, change, retrieve, read, process, use and share your Personal Information in accordance with this Privacy Policy and, where permitted or required to do so in terms of law, may do so without your consent or knowledge, in accordance with POPIA.

3.2 By engaging with us, making use of our products and/or services, providing us with your products and/or services and accessing our website and/or other electronic or mobile platforms you:-

3.2.1 acknowledge that you have read and understood this Privacy Policy;

3.2.2 agree to be bound by the terms of this Privacy Policy;

3.2.3 agree to comply with the terms of this Privacy Policy; and

- 3.2.4 give us consent to process and, in some cases, further process your Personal Information for the specific and lawful purposes related to the collection of your Personal Information.

4. Application of this Privacy Policy

- 4.1 This Privacy Policy is applicable to the processing of your Personal Information, by us, or by Operators on our behalf, in relation to you, being a user who accesses and/or uses our website or our products and services, or provider of products and services to us, clients, suppliers, employees, former employees, prospective employees and other data subjects that may interact with us.

5. Use of your Personal Information

- 5.1 We process your Personal Information lawfully, and in a reasonable manner that does not infringe on your right to Privacy and only if, given the purpose for which it is processed, it is adequate, relevant and not excessive.
- 5.2 We collect your Personal Information only for specific and lawful purposes relating to our functioning and/or activities and we use your Personal Information, inter alia, for the following purposes:-
 - 5.2.1 to provide products and/or services to you;
 - 5.2.2 to receive products and/or services from you;
 - 5.2.3 to fulfil any contractual obligations that we may have to you or any third party;
 - 5.2.4 to identify or verify your details;
 - 5.2.5 to communicate with you;
 - 5.2.6 for client relations purposes;
 - 5.2.7 to comply with our regulatory reporting obligations;
 - 5.2.8 to comply with our statutory and contractual obligations;
 - 5.2.9 to conduct the recruitment and hiring processes;
 - 5.2.10 for the purposes of providing you with information you may have requested;
 - 5.2.11 for the purpose of concluding and maintaining an employment or any other type of relationship with you;
 - 5.2.12 for the purposes of managing any information pertaining to you;

- 5.2.13 for further processing or general administration purposes;
- 5.2.14 to help us improve the quality of our products and services;
- 5.2.15 to help us detect and prevent fraud and money laundering;
- 5.2.16 for the purposes of recovering unpaid monies and/or any other amount due to us;
- 5.2.17 for the purpose of obtaining compliance with any contract;
- 5.2.18 for the purposes of research, analytical and statistical purposes;
- 5.2.19 for the purpose of carrying out analysis and consumer / customer profiling;
- 5.2.20 for the purposes of informing you about our products and services;
- 5.2.21 to maintain and improve our website and to improve the experience of our website;
- 5.2.22 to retain and make information available to you on our website;
- 5.2.23 to maintain and update our client, or potential client databases;
- 5.2.24 to maintain and update our supplier database;
- 5.2.25 to establish and verify your identity on our website;
- 5.2.26 for security, administrative and legal purposes;
- 5.2.27 for other activities and/or purposes which are lawful, reasonable and adequate, relevant and not excessive in relation to the provision of our services and/or the use of our website, our business activities or such other purpose for which it was collected.

6. Information Collection and Quality

- 6.1 We may collect your Personal Information in the following ways:-
 - 6.1.1 through direct interactions with and active submissions by you of Personal Information, in person or online (eg. communication, forms, subscriptions and interactions in person or on our website);
 - 6.1.2 through automated or passive interactions with you (eg. cookies and anonymous identifiers on our website and, if applicable, other electronic platforms);
 - 6.1.3 from third parties and public sources (eg. public records, agents and suppliers); and

- 6.1.4 where CCTV is installed for safety and security purposes, via CCTV.
- 6.2 We have a duty to take all reasonably practicable steps to ensure your Personal Information is complete, accurate, not misleading and updated on a regular basis. Whilst we will try to ensure the accuracy of your Personal Information at all times, this may not always be possible. In this regard, you accept responsibility for keeping your Personal Information up to date and accurate and to inform us of any alterations to your Personal Information.
- 6.3 You have the right to access your Personal Information which we may have and where applicable may ask us to correct and/or delete your Personal Information, subject to what is stated herein.
- 6.4 Where you give us Personal Information in respect of other data subjects, we may not process such Personal Information without their written consent, for the purposes set out in this Privacy Policy or any other related purposes, unless authorised and/or required to do so in law.
- 6.5 In certain circumstances, the provision of certain Personal Information may become compulsory in order to fully engage with us. If you do not agree to share such compulsory Personal Information with us, we may terminate any contracts between us and/or the provisions of any services to you and you will not be able to engage with us, supply your products or services to us or make full use of our products and services and/or the features that are offered on our website, including products and services which are available on the Website.
- 6.6 We may keep your Personal Information for as long as you continue to engage with us, provide services or products to us, access our website and content and/or use our products and/or services, or for as long as reasonably necessary, or until you contact us and ask us to destroy it (upon termination of our engagement with you).

7. Disclosure of Personal Information

- 7.1 In addition to disclosures identified in the purposes above, from time to time we may disclose personal information to our service providers and subcontractors, including our affiliates, retained to perform functions on our behalf or to provide services to us, such as marketing and advertising; data processing; software development; digital platform hosting and management; information technology and office services; legal, accounting, audit and other professional service providers; and further provided such service provider does not collect, use or disclose the personal information for any purpose other than to perform such functions or to provide services to us or as otherwise required by law; a person or entity, including our affiliates, to whom disclosure is required in order to fulfil one or more of the purposes described hereinabove; a person who, in our reasonable judgment, is providing or seeking the information as the authorised or appointed legal agent of the subject individual; or any third party with your consent or where disclosure is required or permitted by law.

- 7.2 Where any processing of your Personal Information is processed for, or on our behalf, by a third-party for any reasons related to the legitimate purposes set out herein, such processing shall be authorised by us by entering into a written agreement with those third parties, governing our relationship with them and containing the respective confidentiality, non-disclosure and data protection provisions, in order to ensure they undertake to process your Personal Information lawfully, safely and in accordance with POPIA.

8. Storage and Transfer of your Personal Information

- 8.1 We store your Personal Information:
- 8.1.1 On our premises, in the form of hard copies and electronically; or
 - 8.1.2 On our servers; or
 - 8.1.3 On the servers of our third party service providers, such as IT systems or hosting service providers.
- 8.2 Where we have to transfer your Personal Information to servers situate outside of South Africa, we shall, before doing so, ensure that the receiving Operator of your Personal Information agrees to process your Personal Information in accordance with POPIA under and in terms of a set of binding corporate rules and/or agreement that shall provide adequate levels of protection to your Personal Information and uphold the principles for the reasonable and lawful processing of your Personal Information.

9. Security of your Personal Information

- 9.1 We take reasonable technical and organisational measures to secure the integrity and confidentiality of your Personal Information to prevent loss, damage or unauthorised destruction of your Personal Information, and unlawful access to or processing of your Personal Information.
- 9.2 Further to the above, we take reasonable measures to identify all reasonably foreseeable internal and external risks to your Personal Information, establish and maintain appropriate safeguards against these identified risks, regularly verify that the safeguards are effectively implemented and ensure the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
- 9.3 Notwithstanding the above, and while we take reasonable measures to safeguard your Personal Information as set out hereinabove, there is always a risk that your Personal Information may not be secure when processed by means of technology. In the circumstances, we cannot guarantee the security of any information provided to us through our website, email, internet or social media platforms and shall not be liable, insofar as the law allows, for any loss, claim and/or damage arising from any unauthorised access, disclosure, misuse, loss, alteration or destruction of your Personal Information and/or Special Personal Information.

- 9.4 Our website may contain links to other websites outside of our control. This Privacy Policy does not apply to the processing of Personal Information by other third parties relating to or by means of other parties' websites, products or services, such as websites linked to, from or advertised on our website or through our products and services, or sites which link to or advertise our website or our products and services. We are not responsible for the content, privacy or security of these other third party controlled websites and advise that you read their privacy policy before making use thereof.
- 9.5 Cookies may be placed on our website which make contact with your device in order to help make our social media and electronic platforms and/or website and your use thereof a better experience for you.
- 9.6 In the event that your Personal Information has been accessed or acquired by unauthorised persons, we shall notify the Information Regulator and you, as soon as reasonably possible after the discovery of the compromise.

10. Your rights

- 10.1 In terms of POPIA, you have the right to:-
- 10.1.1 Block all or selected cookies on your browser;
 - 10.1.2 Request access to your Personal Information;
 - 10.1.3 Request the correction of your Personal Information;
 - 10.1.4 Request the deletion of your Personal Information;
 - 10.1.5 Object to the processing of your Personal Information on reasonable grounds;
 - 10.1.6 Withdraw consent which you previously gave to the processing of your Personal Information, at any time, in certain circumstances;
 - 10.1.7 Object to the processing of your Personal Information, at any time, for the purposes of direct marketing; and
 - 10.1.8 Submit a complaint to the Information Regulator or institute civil action proceedings regarding the alleged interference with the protection of your Personal Information.

11. Children

- 11.1 If a Data Subject is under the age of 18, such person's Personal Information will only be processed if the minor's parent or legal guardian gives the required consent or permission to the processing of the minor's Personal Information.

- 11.2 We will not knowingly collect Personal Information of persons under the age of 18 without the express consent to do so or without a legal obligation to do so.

12. Direct Marketing

- 12.1 We process Personal Information for the purpose of direct marketing by way of electronic communication. We will only send you direct marketing materials if you have specifically opted-in to receive these materials, or if you are a client of ours, at all times in accordance with applicable laws.
- 12.2 If you complete the subscription form on our website or other online platforms, you agree to receive marketing communication from us.
- 12.3 You may refuse to accept, require us to discontinue, or pre-emptively block any approach or communication from us if that approach or communication is primarily for the purpose of direct marketing.
- 12.4 You may opt out of receiving direct marketing communication from us at any time by requesting us, in writing, to stop providing any direct marketing communication to you. You may send your opt-out requests to our Information Officer, whose details are set out below.

13. Complaints

- 13.1 Should you feel that your rights in respect of your Personal Information have been infringed, please address your concerns to our Information Officer, whose details are set out below.
- 13.2 If you feel that the attempts by us to resolve the matter have been inadequate, you may lodge a complaint with the South African Information Regulator by accessing their website at www.justice.gov.za/infoereg.

14. Queries and our Information Officer's Details

- 14.1 Our Information Officer is Letlakana Pencil Stanely Thubakgale.
- 14.2 You may contact him in relation to this Privacy Policy by writing to us at info@orangeexecutivecars.com.
- 14.3 Our Information Officer's duties and responsibilities include encouraging compliance with the eight conditions for lawful processing of personal information in terms of POPIA, ensuring compliance with the provisions of POPIA, dealing with requests for access to information and working with and assisting the Information Regulator in relation to any investigations where needed.

15. Update and/or Revision of this Privacy Policy

- 15.1 We reserve the right to and may from time to time update this Privacy Policy. Any such revision will be published on our website and/or made available to any person wishing to access the updated policy at our offices situated at Block A5, 300 Witch-Hazel Ave, Eco Fusion 4, Highveld upon request from the abovementioned Information Officer.

- 15.2 Accordingly, please check this Privacy Policy for changes periodically. If you continue to engage with us, provide products or services to us or access or use the Website and/or products and services after amendments are made to the Privacy Policy and displayed on this Website, you will be deemed to have accepted the updated Privacy Policy.