

SYNAQ PRIVACY POLICY

David Jacobson, Founder and Chief Executive Officer | Sam Gelbart, Technical Director

Ballyoaks Office Park, Ground Floor Golden Oak House, 35 Ballyclare Drive, Johannesburg, 2021.

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SYNAQ (Pty) Ltd operates <https://www.synaq.com/> and is committed to protecting your privacy and complying with applicable data protection and privacy laws. This Privacy Policy will inform you as to how we process your Personal Information and tell you about your privacy rights and how the law protects you (as Data Subject).

It is important that you read this Privacy Policy so that you are fully aware of how and why we are using your Personal Information. This Privacy Policy supplements other notices and privacy policies and is not intended to override them.

By submitting Personal Information to us it will be seen as your consent to us to process the Personal Information. Reference to “consent”, “your consent” or “your explicit consent” shall include the ticking of a tick box or clicking on a “Submit Form”, “subscribe” or “I agree” button on our site(s).

1) IMPORTANT INFORMATION AND WHO WE ARE

a) Responsible Party

- i) SYNAQ (Pty) Ltd is the Responsible Party and responsible for your Personal Information (collectively referred to as "SYNAQ", "we", "us" or "our" in this Privacy Policy). **Take note:** SYNAQ occasionally acts as an Operator and we only act on instructions from the applicable Responsible Party. Where we act as Operator, we will Process Personal information in accordance with the Service Agreement agreed to between Us and the Responsible Party.
- ii) We have appointed an information officer (IO) who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests, please contact the IO using the details set out below.

b) Contact details

- i) Our Information Officer's contact details:
 - Full Name: Mr. Sam Gelbart
 - Contact Details: Website ([click here](#) to communicate via our website) or telephone at +27 (11) 262 3632.
 - Email hello@synaq.com or popia@synaq.com

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ii) You have the right to make a complaint at any time to the Information Regulator's office (IR), the Republic of South Africa's authority for data protection issues (<http://www.justice.gov.za/infoereg/>). We would, however, appreciate the chance to deal with your concerns before you approach the IR, so please contact us in the first instance.

c) Changes to the Privacy Policy and your duty to inform us of changes.

i) We keep our Privacy Policy under regular review. This version, V1.3, was last updated on 17.11.2025. Archived versions (if available) can be obtained by contacting us. Any changes made to our Privacy Policy in future will be posted on our website or made available during your engagement with SYNAQ. The new version will apply the moment it is published on our website or incorporated by reference in any communication.

ii) **It is important that the Personal Information we hold about you is accurate and current. Please keep us informed if your Personal Information changes during our relationship.**

d) Integration into other sites: We do not exercise control over the sites of third parties who provide services or products to us as part of their own offering. These other sites that may be available on any of our Sites, may place their own cookies or other files on your computer, collect data or solicit Personal Information from you. We cannot be held responsible for any wrongful handling of end users' information by other sites.

e) Third-Party links: Our website and social media pages may include links to Third-Party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. If you disclose your Personal Information to a Third-Party, such as an entity which operates a website linked to this SYNAQ Website,

SYNAQ SHALL NOT BE LIABLE FOR ANY LOSS OR DAMAGE, HOWSOEVER ARISING, SUFFERED BY YOU AS A RESULT OF THE DISCLOSURE OF SUCH INFORMATION TO THE THIRD-PARTY. This is because we do not regulate or control how that Third-Party uses your Personal Information. You should always ensure that you read the privacy policy of any Third-Party. When you leave our website, we encourage you to read the privacy policy of every website you visit.

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2) THE DATA WE COLLECT ABOUT YOU (can be updated and referenced in table).

- a) **We collect your Personal Information, as defined in this Policy. It does not include data where the identity of the Data Subject has been removed (anonymous data).**
- b) We may Process different kinds of Personal Information about you when we engage with you, which we have grouped together as follows:

Type of Data	Details
Identity Data	First name, Last name, Age, Nationality, Username or Similar Identifier, Job Title, Date of Birth and Gender;
Contact Data	Billing address, Physical address, Delivery address, Email address, Telephone numbers;
Financial Data	Payment card details and/or banking details;
Transaction Data	Details about payments to and from us and other details of Services you have accessed on our website;
Technical Data	Internet protocol (IP) address, Your login data, Browser type and version, Time zone setting and location, Browser plug-in types and versions, Operating system and platform, Other technology on the devices you use to access this website/ portal;
Usage Data	Information about how a Person uses our website products and Services. This information shall include: the full Uniform Resource Locators (URL) Clickstream to, through and from our website (including the date and time) and the services you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), use of a certain function on any Service and methods used to browse away from the page and any phone number used to call our

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	client service number, service transaction instructions from and to you via our APIs.
Marketing and Communications Data	Marketing preferences in receiving marketing from SYNAQ and third parties, your communication preferences (communications related to the Services).
Aggregate data and pattern data ("Pattern Data"):	Statistical, demographical or transactional information derived from Personal Information but is not considered Personal Information in law as this data will not directly or indirectly reveal the identity of the Data Subject. For example, we may aggregate the Usage Data of a Data Subject to calculate the percentage of users accessing a specific website or specific Service feature or executing a specific transaction type. However, if we combine or connect Pattern Data with your Personal Information so that it can directly or indirectly identify you, we will treat the combined data as Personal Information which will be used in accordance with this Privacy Policy.
Additional Personal Information	You may choose to provide additional Personal Information to us. When you do so, you agree to provide accurate and current information, and to not impersonate or misrepresent any person or entity or falsely state your affiliation with anyone or anything.

- c) You may choose to provide additional Personal Information to us, in which event you agree to provide accurate and current information, and not to impersonate or misrepresent any person or entity or falsely state or otherwise misrepresent your affiliation with anyone or anything.
- d) We do not collect any **Special Personal Information** about you, except during provision of our Services, which shall be collected as per your consent.

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- e) **Submission of Personal Information on behalf of another:** If you provide information on behalf of someone else, then it is your responsibility to obtain the necessary consent from the person/ User before making the Personal Information available to us. On receipt of Personal Information, we assume that the necessary consent has been obtained and will process the Personal Information as per your instructions. By submitting such Personal Information on behalf of another person/ User, you indemnify us against any Third-Party claim, where such Third-Party claim relates to Personal Information that has been processed without the necessary consent or other available exception allowed by law.
- f) **If you fail to provide Personal Information:** Where we need to collect Personal Information by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with Services (including Services for no charge)). In this case, we may have to cancel a Service you have with us, but we will notify you if this is the case at the time.

3) HOW IS PERSONAL INFORMATION COLLECTED?

We use different methods to collect data from and about you including through:

Direct interactions	Automated technologies	Third Parties/ Publicly Available Sources
<ul style="list-style-type: none"> Instruct us to provide certain Services; When you engage with us via Microsoft Teams or Zoom or any other video conferencing facility; Subscribe to our newsletter/blog or seminars/webinars; Request information about other services we or any of our 	<ul style="list-style-type: none"> As you interact with our Services, we will automatically collect Technical Data about your equipment, browsing actions, patterns, and device(s). This Personal Information is collected by using cookies (see section 4 below), server logs and other similar technologies. We may also receive Technical Data about you if you visit other 	<ul style="list-style-type: none"> Analytics providers such as Google ("How Google uses information from sites or Apps that use our services", located at https://policies.google.com/technologies/partner-sites); Advertising networks Search information providers Third Party service providers that provide a service or product to you, subject to your

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related parties may be able to provide;

- Download any of our technology to access our Services;
- Provide us with feedback;
- When you visit and use any of our Channels; or
- When you visit our offices or meet with our professional staff at any other location as instructed by you;

websites employing our cookies

consent to us to collect the information

- Contact, Financial and Transaction Data from providers of technical, payment and delivery services;

4) COOKIES

See our **Cookies Policy**

5) HOW WE USE YOUR PERSONAL INFORMATION

- a) We will not sell your Personal Information. We will only use Personal Information within the framework of the law. Most commonly, we will use Personal Information in the following circumstances:
- i) where you have given us your consent; or,
 - ii) where we need to perform our contractual obligations as per the Agreement we are about to enter into or have entered into with you; or,
 - iii) where where it is necessary for the protection of the Data Subject's legitimate interest; or
 - iv) where it is necessary for our legitimate interests (or those of a Third-Party) and your interests and fundamental rights do not override those interests; or,
 - v) where we need to comply with a legal obligation.

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b) We will get your consent before sending third-party direct-marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us or using such automated facilities made available by us.

c) **Purposes for which we will use Personal Information:**

- i) We have set out in the table below a description of all the ways we plan to use Personal Information, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.
- ii) Note that we may process Personal Information for more than one lawful ground depending on the specific purpose for which we are using the data. Note that we may process Personal Information for more than one lawful ground depending on the specific purpose for which we are using the data. Please contact us if you need details about the specific legal ground, we are relying on to process your Personal Information where more than one ground has been set out in the table below.

Purposes for which we will use Personal Information – Table 1 (below):

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a client	(a) Identity and (b) Contact	Performance of a contract/Agreement with you
To process and payment for Services executed or Products delivered to you: (a) Manage payments, fees, and charges (b) Collect and recover money owed to us	(a) Identity, (b) Contact, (c) Financial, (d) Transaction, (e) Marketing and Communications	(a) Performance of a contract/Agreement with you (b) Necessary for our legitimate interests (to recover debts due to us)

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<p>To manage our relationship with you as client:</p> <p>(a) To deliver the services and/or products.</p> <p>(b) Notifying you about changes to our terms or privacy policy or service/product terms and conditions.</p> <p>(c) To reply to your submission via our "contact-us" page</p>	<p>(a) Identity, (b) Contact, (c) Marketing and Communications, (e) COVID-19 Data</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study how clients use our products/services)</p>
<p>To administer and protect our business, website, and other electronic platforms (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity, (b) Contact, (c) Technical</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>
<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>(a) Identity, (b) Contact, (c) Profile (d) Usage, (e) Marketing and Communications, (f) Technical</p>	<p>Necessary for our legitimate interests (to study how clients use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p>
<p>To use data analytics to improve our website, products/services, marketing, client relationships and experiences</p>	<p>(a) Technical, (b) Usage</p>	<p>Necessary for our legitimate interests (to define types of clients for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p>

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<p>To manage our relationship with you as client:</p> <p>(a) To deliver the services and/or products.</p> <p>(b) Notifying you about changes to our terms or privacy policy or service/product terms and conditions.</p> <p>(c) To reply to your submission via our “contact-us” page</p>	<p>(a) Identity, (b) Contact, (c) Marketing and Communications, (e) COVID-19 Data</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study how clients use our products/services)</p>
<p>To make suggestions and recommendations to you about goods or services that may be of interest to you</p>	<p>(a) Identity, (b) Contact, (c) Technical, (d) Usage, (e) Profile, (f) Marketing and Communications</p>	<p>Necessary for our legitimate interests (to develop our products/services and grow our business)</p>
<p>To administer and protect our business, website, and other electronic platforms (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity, (b) Contact, (c) Technical</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>
<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>(a) Identity, (b) Contact, (c) Profile (d) Usage, (e) Marketing and Communications, (f) Technical</p>	<p>Necessary for our legitimate interests (to study how clients use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p>

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To use data analytics to improve our website, products/services, marketing, client relationships and experiences	(a) Technical, (b) Usage	Necessary for our legitimate interests (to define types of clients for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity, (b) Contact, (c) Technical, (d) Usage, (e) Profile, (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

d) **Marketing:** We strive to provide you with choices regarding certain Personal Information uses, particularly around marketing and advertising.

i) Promotional offers from us

- (1) Once you have purchased a Service and/ or product from us or utilised any of our services or products, you will be seen as a client of SYNAQ.
- (2) As a client we may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).
- (3) As a client you will receive marketing communications from us if you have not opted out of receiving that marketing.

ii) Third-party marketing

- (1) We will get your express opt-in consent before we share your Personal Information with any third-party for marketing purposes.

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- (2) TAKE NOTE: We may provide (without your consent) third-party marketing parties/ advertisers with anonymous aggregate information (Aggregate Data (see above)) about our users (for example, we may inform them that 500 men aged under 30 have clicked on a specific product or advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in a specific region). We may make use of the Personal Information we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience. **IMPORTANT: We do not disclose information about identifiable individuals to our advertisers.**

iii) Opting out

- (1) You can ask us or third parties to stop sending you marketing messages at any time by logging into the website or unsubscribe on the email communication or by contacting us at any time and requesting to opt-out of our marketing services.
- (2) Where you opt out of receiving these marketing messages, this will not apply to Personal Information provided to us as a result of a Service purchase, service experience or other transactions.

e) Automated processing and decision making

- i) We do not use any automated processing and/or decision-making tools, including but not limited to AI Systems, to process your Personal Data in order to provide its Services. In the event that this should change, we will update this Policy to reflect same.

Commented [KS1]: Kindly confirm

f) Change of purpose

- i) We will only use your Personal Information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

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ii) If we need to use your Personal Information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

iii) Please note that we may process your Personal Information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6) DISCLOSURES OF PERSONAL INFORMATION

a) We may share Personal Information with the parties set out below for the purposes set out in the table above.

i) Internal Third Parties as set out in the Definitions. Where we share Personal Information to our group (collaborating companies/ partners/ agents), we ensure your Personal Information is protected by requiring all our collaborating companies to follow this Policy when processing your Personal Information.

ii) External Third Parties as set out in the Definitions.

iii) Third Parties to whom we may choose to sell, transfer or merge all or parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your Personal Information in the same way as set out in this Privacy Policy.

b) We require all Third Parties to respect the security of your Personal Information and to treat it in accordance with the law. We do not allow our Third-Party service providers to use your Personal Information for their own purposes and only permit them to process your Personal Information for specified purposes and in accordance with our instructions.

c) We do not allow our Third-Party service providers to use your Personal Information for their own purposes and only permit them to process your Personal Information for specified purposes and in accordance with our instructions.

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d) We may further share Personal Information outside to External Third-Parties if we have a good faith belief that access, use, preservation or disclosure of such information is reasonably necessary to:

- Satisfy any applicable law, regulation, legal process or enforceable governmental request;
- enforce applicable Terms of Use, including investigation of potential violations thereof;
- detect, prevent, or otherwise address fraud, security or technical issues; or
- protect against imminent harm to the rights, property or safety of SYNAQ, users of this website or the public as required or permitted by law.

7) INTERNATIONAL TRANSFERS

- a) We may transfer personal data to countries outside the country you are in for various purposes, such as to facilitate international business operations or to provide services to our global customers. When transferring personal data outside your country, we ensure that such transfers are made in compliance with the Data Protection Legislation.
- b) To ensure the protection of personal data during cross-border transfers, we implement appropriate safeguards. These may include:
- i Standard Contractual Clauses as may be provided by supervisory authorities to ensure that data recipients in third countries adhere to the Data Protection Legislation and standards.
 - ii Binding Corporate Rules (BCRs): For intra-group transfers, we may adopt BCRs that have been approved by relevant data protection authorities.
 - iii Adequacy: We may transfer your Personal Data to countries that have been deemed to provide a similar level of protection for Personal Data as the Data protection Legislation applicable to where we operate from or applicable in our engagement with you
 - iv Derogations: In exceptional cases where other safeguards are not feasible, we may rely on derogations permitted under specific particles of the Data Protection **Legislation, such**

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as explicit consent from the data subject or transfers necessary for the performance of a contract.

- c) **Transparency and Accountability:** We maintain a record of all cross-border data transfers, including the countries to which data is transferred and the safeguards implemented. We are committed to transparency and accountability in our data transfer practices and will provide information on these transfers upon request.
- d) By submitting your Personal Information to us you consent to the transfer of your Personal Information outside the borders of your country (when required).

8) DATA SECURITY

- a) We have put in place appropriate technological and organisational measures to prevent Personal Information from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed. In addition, we limit access to Personal Information to those employees, agents, contractors, and other third-parties who have a business obligation need to know. They will only process Personal Information on our instructions, and they are subject to a duty of confidentiality.
- b) We have put in place procedures to deal with any suspected Personal Information breach and will notify you and any applicable regulator of a breach where we are legally required to do so.
- c) **Under certain legislation we may have a duty to report certain offences to the authorities within a limited time period. We cannot be held liable for any consequences that may result from these said reporting.**

9) DATA RETENTION

How long will we use your Personal Information for?

- a) We will only retain your Personal Information for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your Personal Information for a longer

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period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect of our relationship with you.

- b) To determine the appropriate retention period for Personal Information, we consider the amount, nature and sensitivity of the Personal Information, the potential risk of harm from unauthorised use or disclosure of your Personal Information, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting, or other requirements.
- c) By law we have to keep basic information about our clients (including Contact, Identity and Transaction Data) for seven years after they cease being clients for tax purposes.
- d) In some circumstances you can ask us to delete your data: see your legal rights below for further information.
- e) In some circumstances we will anonymise your Personal Information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

10) SOCIAL MEDIA

- a) Our website(s) or Services may, in certain circumstances, provide you with social plug-ins from various social media networks. If you choose to interact with a social network such as Facebook or LinkedIn (for example by registering an account or click on the links from our website), your activity on our website(s) will also be made available to that social network. This is necessary for the performance of your contract with us which allows you to interact with a social network. If you are logged in on one of these social networks during your visit to our website(s) or are interacting with one of our social plug-ins, the social network might add this information to your respective profile on this network based on your privacy settings. If you would like to prevent this type of information transfer, please log out of your social network account before you enter our website(s), or change the necessary privacy settings, where possible.

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- b) Communication, engagement, and actions taken through external social media networks that we participate in are custom to the terms and conditions as well as the privacy policies held with each social media platform, respectively.
- c) You are advised to use social media networks wisely and communicate/engage with them with due care and caution in regard to their own privacy policies (if any). **PLEASE NOTE: WE WILL NEVER ASK FOR PERSONAL OR SENSITIVE INFORMATION THROUGH SOCIAL MEDIA NETWORKS AND ENCOURAGE USERS, WISHING TO DISCUSS SENSITIVE DETAILS OR TO RESOLVE ISSUES/CONCERNS, TO CONTACT US THROUGH PRIMARY COMMUNICATION CHANNELS SUCH AS BY TELEPHONE OR EMAIL.**
- d) Our social media network page(s) may share web links to relevant web pages. By default, some social media platforms shorten lengthy URL's. You are advised to exercise caution and due care before clicking on any shortened URL's published on social media platforms by this website. Despite our best efforts to ensure that only genuine URLs are published, many social media platforms are prone to spam and hacking and therefore our website and its owners cannot be held liable for any damages or implications caused by visiting any shortened links.

11) YOUR LEGAL RIGHTS

- a) Under certain circumstances, you have the following rights under data protection laws in relation to your Personal Information:
 - i) **Request for Access:** Request access to Personal Information (commonly known as a "data subject access request"). There may be a fee associated with this request – see below. This enables you to receive a copy of the Personal Information we hold about you and to check that we are lawfully processing it.
 - ii) **Request Correction** of the Personal Information that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

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- iii) **Request Deletion** of your Personal Information This enables you to ask us to delete or remove Personal Information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your Personal Information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your Personal Information to comply with local law. **Note:** however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. **Take Note:** Erasure of your Personal Information shall further not limit our rights in terms of Aggregate Data and Pattern Data
- iv) **Object to processing** of your Personal Information where we are relying on a legitimate interest (or those of a third-party) and there is something about your particular situation which makes you want to object to processing on this ground, as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- v) **Request restriction of processing** of your Personal Information. This enables you to ask us to suspend the processing of your Personal Information in the following scenarios:
- If you want us to establish the data's accuracy.
 - Where our use of the data is unlawful, but you do not want us to erase it.
 - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
 - You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.
- vi) **Request the transfer** of your Personal Information to you or to a third-party. We will provide to you, or a third-party you have chosen, your Personal Information in a

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structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you. Contact us if you need to transfer your Personal Information.

- vii) **Withdraw consent at any time** where we are relying on consent to process your Personal Information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain Services to you. We will advise you if this is the case at the time you withdraw your consent.
- b) If you wish to exercise any of the rights set out above, please contact us at the details mentioned 1) c) above.
- c) **Fee required:** Apart from any prescribed fees under any applicable data protection legislation, you will not have to pay a fee to access your Personal Information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we could refuse to comply with your request in these circumstances. For more information on the fees applicable contact our Information Officer.
- d) **What we may need from you:** We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Information (or to exercise any of your other rights). This is a security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- e) **Time limit to respond:** We try to respond to all legitimate requests within 30 (thirty) days. Occasionally it could take us longer than 30 (thirty) days if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

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12) SUBCONTRACTORS

- a) We may authorise a third party (subcontractor) to Process the Personal Information on our behalf. Where we use sub-contractors, we will:
 - i. Enter into a written contract with the subcontractor that contains terms substantially the same as those set out in this Privacy Policy, in particular, in relation to requiring appropriate technical and organisational data security measures; and
 - ii. maintain control over all Personal Information it entrusts to the subcontractor.
- b) We agree to select subcontractors carefully according to their suitability and reliability.
- c) A subcontractor within the meaning of this Privacy Policy shall not exist if we commission third parties with additional services, that are not an essential part of this Privacy Policy.
- d) Where the subcontractor fails to fulfil its obligations under such written agreement, we remain fully liable to you for the subcontractor's performance of its agreement obligations.
- e) The Parties consider SYNAQ to control any Personal Information controlled by or in the possession of its subcontractors.
- f) We undertake to ensure that all subcontractors who process Personal Information of Data Subjects shall not amend, modify, merge or combine such Personal Information and Process same as per our instructions.

13) PERSONAL INFORMATION BREACH

- a) In the event of a security compromise as contemplated in section 22 of POPIA, we are committed to managing the incident promptly, responsibly, and transparently. Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by an unauthorised person, we will notify the Information Regulator and the affected data subjects as soon as reasonably possible after becoming aware of the compromise, unless the identity of the data subjects cannot be established.
- b) Such notification will be provided in accordance with section 22(4) of POPIA and will include sufficient information to allow affected data subjects to take protective measures, including:
 - i. A description of the possible consequences of the security compromise;

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- ii. A description of the measures taken or proposed to be taken by us to address the security compromise;
 - iii. Recommendations to the data subject on how to mitigate the potential adverse effects of the security compromise; and
 - iv. If known, the identity of the unauthorised person who may have accessed or acquired the personal information.
- c) We maintain a record of all breaches, even those not requiring notification, to ensure compliance with the Data Protection Legislation.

14) DEFINITIONS

- i. **Artificial Intelligence (AI) System or AI Systems** means a computer-based technology which is designed to perform tasks that typically require human intelligence. It encompasses a variety of techniques, such as machine learning and natural language processing, enabling the system to learn, adapt and make decisions autonomously.
- ii. **Channels:** means any of our technology channels made available for you to access our Services, for example, website(s), App(s) or social media sites;
- iii. **Child** means a natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him – or herself.
- iv. **Consent** means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information.
- v. **Data Subject** means the person to whom Personal Information relates and, in this document, refers to you as the party providing Personal Information that will be processed by SYNAQ or a relevant third-party.

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- vi. **Data Protection Legislation** means any and all applicable laws relating to the protection of data or of Personal Information and shall include [the Protection of Personal Information as per the POPI Act and GDPR.
- vii. **GDPR** means the General Data Protection Regulation that governs the collection, processing, and protection of personal data of individuals within the European Union (EU) and the European Economic Area (EEA). It was adopted by the European Parliament and Council on April 14, 2016, and became effective on May 25, 2018.
- viii. **Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best Service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your Personal Information for our legitimate interests. We do not use your Personal Information for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- ix. **Operator** means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party.
- x. **Performance of Contract/Agreement** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- xi. **PAI Act** means the [Promotion of Access to Information Act](#), Act 2 of 2000.
- xii. **POPIA** means the [Protection of Personal Information Act](#), Act 4 of 2013.
- xiii. **Personal Information** means information as defined under applicable data protection legislation
- xiv. **Personnel** means SYNAQ employees, directors or authorised sub-contractors.

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- xv. **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.
- xvi. **Services** has the same meaning as per our Terms of Use.
- xvii. **Special Personal Information** means information that may be sensitive information, such as details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and biometric information or criminal convictions and offences.
- xviii. **THIRD PARTIES**
1. **Internal Third Parties:** Partners, affiliates, employees, shareholders, directors and/or agents of SYNAQ (if applicable), acting as joint responsible parties or operators and who may also provide IT and system administration services and undertake leadership reporting.
 2. **External Third Parties:**
 - Service providers acting as operators who provide IT and system administration services.
 - Professional advisers acting as operators or joint Responsible Parties, including lawyers, bankers, auditors, and insurers who provide consultancy, banking, legal,
 - insurance and accounting services.
 - The Revenue Services, regulators and other authorities acting as operators or joint Responsible Parties who require reporting of processing activities in certain circumstances.
 - Courts of law or any other authorities where we have an obligation under law to share your Personal Information.

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- In the event that we sell or buy any business or assets, in which case we may disclose your Personal Information to the prospective seller or buyer of such business or assets.

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