

SOLID SYSTEMS' PRIVACY AND PERSONAL INFORMATION POLICY

Solid Systems Info Technology CC (reg: 2004/123684/23) ("**Solid Systems**") adheres to the highest standards of protecting your personal information when we process it by virtue of your use of our Services, your use of our website www.solidsystems.co.za or any related IT tools, related blogs, websites, applications or platforms (collectively, "**the Website**"), when contracting with us or by providing us with your personal information in any other way. As such, we have created this specific and detailed Privacy Policy ("**Policy**") for you to read and appreciate exactly how we safeguard your personal information and respect your privacy.

- Please note that Solid Systems is a limited liability for profit company duly registered and operating in accordance with the laws of South Africa.
- For more information regarding your personal information lawfully stored or used by Solid Systems, please contact your-privacy@solidsystems.co.za who will gladly assist.
- This Policy was last updated on 31 May 2021.
- Not all terms are necessarily defined in order.
- Please ensure that you read all the provisions below, and our other Solid Systems rules and policies which may apply from time to time and made available to you, to understand all of your, and our, rights and duties.
- Please use the following links to jump to the relevant sections described in this Privacy Policy:

1. ***Important information and who we are***
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Important information and who we are

1.1. Purpose of this Privacy Policy

- 1.1.1. This Privacy Policy aims to give you information on how Solid Systems collects and processes your personal data through any form of your engagement with Solid Systems, such as when you provide your third-party services to us, or correspond with us, use our Services, access or use the Website, or provide us with your personal information in any other way (such as when participating in surveys, participating in events or signing up for newsletters).
- 1.1.2. This Privacy Policy complies with, and facilitates the obligations required from, the European Commission's *General Data Protection Regulation, 2016/679* ("**GDPR**") as well as the South African *Protection of Personal Information Act, No. 4 of 2013* ("**POPI**"), as amended.

- 1.1.3. It is important that you read this Privacy Policy together with any other privacy policy or fair processing notice we may provide on specific occasions when we are collecting or processing personal data, so that you are fully aware of how and why we are using your data. This Privacy Policy supplements the other notices and is not intended to override them.
- 1.1.4. **We do not process special categories of personal data, nor the data of minors. Do not provide us with any such personal data, where the provision of same will constitute an immediate and automatic material breach of these terms.**
- 1.2. Role as “Data Controller” or “Processor”**
- 1.2.1. Solid Systems is the “Data Controller” (as defined in the GDPR) and is responsible for your personal data in instances where we decide the processing operations concerning your personal data. This term is the equivalent to a “Responsible Party” under POPI.
- 1.2.2. We have appointed an Information Officer at Solid Systems who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact the representative using the details set out below.
- 1.2.3. Should we be required to access and process any data from your own data subjects, we will operate as a “Processor” (as defined in the GDPR) to you as the Data Controller where we will have a data processing agreement between us to dictate the exact processing functions and obligations we must adhere to. The Data Controller providing us with such data and related Processor functions will be liable to their data subjects whose data we process, and we will direct all enquiries from such data subjects about our processing allowances to the relevant Data Controller to manage.
- 1.3. Our Contact Details**
- 1.3.1. Our full details are:
- Full name of legal entity: Solid Systems Info Technology Close Corporation
 - Name of Information Officer: Daniel Avinir
 - Email address: Daniel@solidsystems.co.za
 - Postal address: 128 Strand Street, Cape Town, 8001
 - Telephone number: +27 21 110 0000
- 1.3.2. You have the right to make a complaint at any time to the South African regulator’s office (the Information Regulator’s Office of South Africa) or the office of any relevant European Information Regulator. We would, however, appreciate the chance to deal with your concerns before you approach any such regulator, so please contact us in the first instance.
- 1.4. Changes to the Privacy Policy and your Duty to Inform us of Changes**
- 1.4.1. This Privacy Policy version was last updated on 31 May 2021 and historic versions are archived and can be obtained by contacting us.
- 1.4.2. It is important that the personal data we hold about you is accurate and current at all times. Please let us keep your personal information updated by contacting us should any of your personal information change. We will not know if your personal information changes without you telling us, so please let us know immediately should changes occur. **Solid Systems will not be liable for any incorrect personal data it may hold on/about you if you do not notify us of the changes needed.**
- 1.5. Third-Party Links on Website or otherwise**

- 1.5.1. The Website and/or our various IT tools and services 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. We do not control these third-party websites/services and are not responsible for their privacy statements or terms. When you leave our Website/IT tools, or engage with such third parties, we encourage you to read the distinct privacy policy of every third-party you engage with.

The data we collect about you

- 1.6. “Personal data”, or “personal identifiable information”, means any information about an individual, both natural and juristic entities, from which that entity can be identified. It does not include data where the identity has been removed (anonymous data).
- 1.7. We may collect, use, store and transfer (“**process**”) different kinds of personal data about you which we have grouped together as follows:
 - 1.7.1. **Identity Data** including first name, maiden name, last name, country of residence, username or similar identifier, title, date of birth and gender;
 - 1.7.2. **Contact Data** including email address, social media contact details and telephone numbers;
 - 1.7.3. **Financial Data** including bank account details, payment details, third-party payment provider information and payment card details;
 - 1.7.4. **Transaction Data** including details about payments to and from you, contracts, contractual terms, contract fees, signups, subscriptions, invoices and other details of products and Services you have obtained from us;
 - 1.7.5. **Social Media Data** including all information accessible on your publicly available profile such as images, photos, photo tags, likes, followers, comments, posts and stories;
 - 1.7.6. **Technical Data** including internet protocol address/es, your login data, browser type and version, time zone setting and location, cookies, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Website;
 - 1.7.7. **Device and Service Data** including information about who is logged into/using the device, hardware, software metrics such as CPU or memory usage or security status;
 - 1.7.8. **Usage Data** including information about how you use our company, Website, surveys, events and services; and
 - 1.7.9. **Marketing and Communications Data** including your preferences in receiving notices and marketing from us and our third parties and your communication preferences.
- 1.8. We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific Website feature, or Device and Service Data to analyse and understand device, server or workstation status. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Privacy Policy.
- 1.9. Where we need to collect personal data 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 our Services).

How is your personal data collected?

- 1.10. We use different methods to collect data from and about you, including through:
- 1.10.1. **Direct interactions:** You may give us your **Identity, Contact, Technical and Financial Data** by filling in various Solid Systems forms when contracting with us and/or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - 1.10.1.1. use our Services;
 - 1.10.1.2. log a support incident
 - 1.10.1.3. use our Website;
 - 1.10.1.4. contract with us;
 - 1.10.1.5. use a service that forms part of our technology stack or tools
 - 1.10.1.6. consult with us;
 - 1.10.1.7. provide us with your services;
 - 1.10.1.8. complete forms;
 - 1.10.1.9. sign-up for newsletters;
 - 1.10.1.10. interact with us via webinar or social platform group, such as a Facebook™ group
 - 1.10.1.11. subscribe to any of our publications;
 - 1.10.1.12. request information to be sent to you; or
 - 1.10.1.13. give us some feedback.
 - 1.10.2. **Automated technologies or interactions:** As you interact with our various IT tools, technology stack and/or Website, we may automatically collect **Technical and Usage Data** about your equipment, browsing actions and patterns. We may collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.
 - 1.10.3. **Third parties or publicly available sources:** We may receive personal data about you from various third parties and public sources as set out below:
 - 1.10.3.1. **Technical Data** from the following parties:
 - 1.10.3.1.1. analytics such as *Google Analytics* based in USA
 - 1.10.3.1.2. marketing platforms such as *LinkedIn* based in USA
 - 1.10.3.1.3. company and employee information from *Microsoft* based in USA
 - 1.10.3.1.4. social networks such *Facebook* based in USA;
 - 1.10.3.2. **Contact, Financial and Transaction Data** from providers of technical, payment and delivery services such as *TransUnion* based in South Africa; and
 - 1.10.3.3. **Identity, Marketing and Communications Data and Contact Data** from publicly available sources such as *LinkedIn* based in USA, as well as from private third parties such as *Apollo* based in USA.

How we use your personal data

- 1.11. We will only use your personal data when the law allows us to and for legitimate reasons, which you hereby expressly understand and consent to. Most commonly, we will use your personal data in the following circumstances:

- 1.11.1. where we have your express consent to do so (where your acceptance of this Privacy Policy constitutes your informed and active consent);
 - 1.11.2. where we need to consult with you or perform on the Services contract we are about to enter into or have entered into with you;
 - 1.11.3. 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; and/or
 - 1.11.4. where we need to comply with a legal or regulatory obligation.
- 1.12. Purposes for which we will use your personal data:
- 1.12.1. We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are, where appropriate, and which exact External Third Parties your personal data is handed to for some reasons.
 - 1.12.2. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.
 - 1.12.3. In some cases, the third parties to whom we may provide your data may be too numerous/dynamic to provide a static complete list herein. Accordingly, any data subject can contact us any time to obtain a complete and exact list of all third parties to whom we may provide any data.

PURPOSE / ACTIVITY	TYPE OF DATA	LAWFUL BASIS FOR PROCESSING INCLUDING BASIS OF LEGITIMATE INTEREST	SPECIFIC EXTERNAL THIRD PARTY TO WHOM THE INFORMATION IS PROVIDED, AND FOR WHAT REASON (IF ANY)
To engage with you after you have contacted us requesting an engagement via the Website or otherwise	(a) Identity (b) Contact (c) Technical	(a) Express consent (b) Performance of a contract with you (c) Necessary for our legitimate interests (to contact you as a client and to keep our records updated and to study how engagees use our services, as well as to develop our services and grow our organisation)	<i>Datto</i> based in USA <i>Microsoft</i> based in USA <i>Formstack</i> based in USA
To provide you with our Services as contracted	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Social Media (f) Marketing and Communications	(a) Express consent (b) Performance of a contract with you	<i>Datto</i> based in USA <i>N-Able</i> based in Canada <i>Microsoft</i> based in USA <i>Formstack</i> based in USA <i>Eversign</i> based in Vienna <i>Customer Thermometer</i> based in United Kingdom
To contract with you as a service provider and/or creditor/debtor to Solid Systems	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of a contract with you (b) Express consent (c) Necessary to comply with a legal obligation	<i>Netcash</i> based in South Africa <i>Formstack</i> based in USA <i>Eversign</i> based in Vienna <i>Datto</i> based in USA

To allow you to use the Website / technology stack / service tools	(a) Technical (b) Identity (c) Contact (d) Usage	(a) Performance of a contract with you (b) Express consent (c) Necessary for our legitimate interests (to allow you to use our Website and communicate with us)	<i>Google</i> based in USA
To process and service payment for any services rendered to Solid Systems or its service providers To manage payments, fees and charges	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to make or receive necessary organisation payments) (c) Express consent	<i>Netcash</i> based in South Africa <i>Xero</i> based in New Zealand
To manage our relationship with you which may include notifying you about changes to our terms or Privacy Policy or Services	(a) Identity (b) Contact (c) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how engagees use our Services) (d) Express consent	<i>Sendgrid</i> based in USA <i>Datto</i> based in USA
To use data analytics to improve our Website, Services, engage-relationships and experiences	(a) Technical (b) Usage (c) Identity	(a) Necessary for our legitimate interests (to define types of engagees for our services, to keep our Website updated and relevant, to develop our organisation and to inform our marketing strategy) (b) Express consent	<i>Microsoft</i> in USA <i>Datto</i> based in USA <i>Customer Thermometer</i> based in United Kingdom
To provide you with direct and user-specific marketing, make suggestions and recommendations to you about events or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Marketing and Communications (e) Social Media	(a) Necessary for our legitimate interests (to develop our services and grow our organisation) (b) Express consent	<i>Customer Thermometer</i> based in United Kingdom <i>Sendgrid</i> based in USA <i>Apollo</i> based in USA <i>Formstack</i> <i>Datto</i> based in USA <i>Microsoft</i> in USA

1.12.4. Marketing

1.12.4.1. You will receive marketing communications from us if you are under contract with us or have accepted our Privacy Policy.

1.12.4.2. We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. To manifest your rights attached to any marketing sent to you, please use the in-built prompts provided on those communications, or contact us.

1.12.4.3. This personal information may be used to conduct credit assessments for purposes of verifying your ability to fulfil financial obligations, provide advertising, promotions or other products and services that may be of particular interest to you.

1.12.5. Change of Purpose

1.12.5.1. We will only use your personal data 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.

1.12.5.2. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

1.12.5.3. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by national law.

Disclosures of your personal data

1.13. We may have to share your personal data with the parties set out below for the purposes set out in the table above.

1.13.1. Internal Third Parties as set out in the Glossary;

1.13.2. External Third Parties as set out in the Glossary;

1.13.3. Specific third parties listed in the table above; and/or

1.13.4. Third parties to whom we may choose to sell, transfer, or merge parts of our organisation or our assets. Alternatively, we may seek to acquire other organisations or merge with them. If a change happens to our organisation, then the new owners may use your personal data in the same way as set out in this Privacy Policy.

1.14. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions and standards.

Express Cookies provision

1.15. The Website may make use of “cookies” to automatically collect information and data through the standard operation of the Internet servers. “Cookies” are small text files a website can use (and which we may use) to recognise repeat users, facilitate the user’s on-going access to and use of a website and allow a website to track usage behaviour and compile aggregate data that will allow the Website operator to improve the functionality of the Website and its content, and to display more focused advertising to a user by way of third party tools.

1.16. The type of information collected by cookies is not used to personally identify you. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to deny or accept the cookie feature. Please note that cookies may be necessary to provide you with certain features available on our Website, and thus if you disable the cookies on your browser you may not be able to use those features, and your access to our Website will therefore be limited. If you do not disable “cookies”, you are

deemed to consent to our use of any personal information collected using those cookies, subject to the provisions of this Policy and our other policies or terms.

International transfers

- 1.17. We share your personal data within the Solid Systems group of organisations and affiliates, and this may involve transferring and processing your data outside of South Africa.
- 1.18. Whenever we transfer your personal data out of either territory, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
 - 1.18.1. We will always have a contract in place covering the processing of data and service-provision between the parties; and
 - 1.18.2. We will only provide your personal data to an entity that processes personal information at standards equal to or better than ours; or
 - 1.18.3. We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the South African/European Information Regulator's office; or
 - 1.18.4. Where we use certain service providers, we may use specific contracts/clauses approved by the South African/European Information Regulator's office which give personal data the same protection it has in South Africa/the EU.
- 1.19. Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of South Africa.

Data security

- 1.20. We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed by using enterprise grade security functionality. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a legitimate need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.
- 1.21. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data retention

- 1.22. We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.
- 1.23. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data, any other South African applicable law requiring us to retain the data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 1.24. Details of retention periods for different aspects of your personal data are available from us by contacting us.
- 1.25. In some circumstances you can ask us to delete your data; see below for further information.
- 1.26. In some circumstances we may anonymise your personal data (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.

Your legal rights

- 1.27. Under certain circumstances, you have rights under data protection laws in relation to your personal data where we are the relevant "Responsible Party" over such personal data. Please contact us to find out more about, or manifest, these rights:

- 1.27.1. request access to your personal data;
 - 1.27.2. request correction of your personal data;
 - 1.27.3. request erasure of your personal data;
 - 1.27.4. object to the processing of your personal data;
 - 1.27.5. request a restriction of processing your personal data;
 - 1.27.6. request transfer of your personal data; and/or
 - 1.27.7. right to withdraw consent.
- 1.28. You will not have to pay a fee to access your personal data (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 may refuse to comply with your request in these circumstances.
- 1.29. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data 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.
- 1.30. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month 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.

Glossary

1.31. Lawful Basis

- 1.31.1. **Legitimate Interest** means the interest of our company in conducting and managing our organisation to enable us to give you the best service and the 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 data for our legitimate interests. We do not use your personal data 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.
- 1.31.2. **Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party (e.g. to receive your communications or services) or to take steps at your request before entering into such a contract.
- 1.31.3. **Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to (such as tax laws).
- 1.31.4. **Express consent** means the confirmed express consent you have provided to our processing of your personal data by actively accepting this Privacy Policy.

1.32. Third Parties

- 1.32.1. **Internal Third Parties** means other entities or parties in the Solid Systems group acting as joint controllers or processors and who are based in South Africa and provide IT and system administration services and undertake reporting.
- 1.32.2. **External Third Parties** means:
 - 1.32.2.1. Authorised third-party service providers under contract with Solid Systems who need your personal information in order to contact and transact with you pursuant to your use of our Services (such as banks, lawyers, accountants);

- 1.32.2.2. specific third parties who have been identified in the table above;
- 1.32.2.3. service providers acting as processors based in South Africa who provide IT and system administration services;
- 1.32.2.4. South African or other national governments and/or their respective authorities pursuant to our adherence with anti-corruption and crime-fighting legislation; and/or
- 1.32.2.5. professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in South Africa who provide consultancy, banking, legal, insurance and accounting services as required.

Your legal rights

1.33. You have the right to:

- 1.33.1. **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- 1.33.2. **Request correction** of the personal data 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.
- 1.33.3. **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no valid reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data 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 data 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 communicated to you, if applicable, at the time of your request (most commonly being other national laws requiring us to continue to process your personal data for a lawful, prescribed reason).**
- 1.33.4. **Object to processing** of your personal data 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 data 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.
- 1.33.5. **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - 1.33.5.1. if you want us to establish the data’s accuracy;
 - 1.33.5.2. where our use of the data is unlawful but you do not want us to erase it;
 - 1.33.5.3. 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; or
 - 1.33.5.4. you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.
- 1.33.6. **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a 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 on a contract with you.

- 1.33.7. **Withdraw consent at any time** where we are relying on consent to process your personal data. 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 Website access or Services to you. We will advise you if this is the case at the time you withdraw your consent. **Please take note that regardless of your right to withdraw consent under the GDPR and POPI, other South African legislation applies and may require that we continue to process your data in order to comply with anti-corruption, crime-fighting and/or other national legislation, which you expressly understand and agree to.**