

# Privacy Policy

Effective Date: 20 June 2018

**Top Draw Tyres (Pty) Ltd, trading as TyreLife Solutions, is committed to protecting the personal information that is furnished to us, and in accordance with the provisions of the Protection of Personal Information Act, Act 4 of 2013 (hereinafter referred to as “POPI”). We recognize the importance of being clear about how we intend to use your personal information.**

We understand your concern relating to the security and/or privacy of your personal information, and to how your personal information is used and/or shared.

Our privacy policy (hereinafter referred to as “Privacy Policy”) describes our practices and policies regarding information that you may provide to us or that we may collect from you, and how we may use and store this information.

We collect certain information through our websites (“the Websites”) and from our products or related services. This Privacy Policy is incorporated into and considered part of any of our agreements that references this Privacy Policy (hereinafter referred to as “Agreement”).

## 1. Personal Information

When used in this Privacy Policy, personal information includes any information that identifies or that can be used to personally identify you (hereinafter referred to as “Personal Information”). This includes, but is not limited to, your name, address, telephone number, and email address.

## 2. What Information We May Collect from You

2.1. We collect Personal Information to provide services, solutions, improvements to our products supplied and services rendered to our clients in terms of managing our business, complying with legislation, and for other purposes explained below. The type of information we collect will depend on the purpose for which it is collected and used for. We will only collect information to the extent that is reasonably necessary for that purpose.

2.2. If you do not agree to provide us with your Personal Information, this may result in a limitation of our ability to render our services to your organisation.

We collect certain categories of information:

2.3. **Personal Information:** (as defined above); and

2.4. **Anonymous Information:** is information about you that is not associated with or linked to your Personal Information.

Anonymous Information generally cannot be used to identify you without the accompanying Personal Information.

We may collect Personal Information and/or Anonymous Information in the following ways:

**2.4.1. Information you voluntarily provide to us:**

We may collect Personal Information through forms that you complete on the Websites, by you subscribing to our services, using discussion forums on the Websites, by you attending training sessions, by following us on social media, by attending our events or by corresponding with us by phone, email, social media or otherwise. This includes, but is not limited to, information you provide when you purchase products from us, submit a query or complaint, participate in forums or other social media functions on the Websites, enter a competition, promotion or survey, and/or when you report a problem with the Websites.

**2.4.2. Information from the Websites (collected automatically):**

Each time you interact with the Websites, we may automatically collect the following Personal Information and/or Anonymous Information:

2.4.2.1. Technical information including, but not limited to, browser type, operating system, device information, IP address, domain name, referral URL, time zone setting, and/or a time-stamp for your visit.

2.4.2.2. Usage information including, but not limited to, geographic location information (such as your country or province), the number of and frequency of visitors to our site, page views, unique page views, video views, form conversions, and your clickstream behaviour (e.g. clicking links to, through and from the Websites).

2.4.2.3. We and our third-party suppliers may use various technologies such as cookies, web beacons (also referred to as clear gifs), and e-tags to collect Personal Information and/or Anonymous Information, to analyse trends, and to provide you with a more personalized customer experience.

Cookies are defined as small pieces of information that are placed on your computer to enable our system to recognize your computer when you return to the Websites and to collect various technical and usage information about your visits. Cookies may be used by us and our third-party suppliers who help us provide the Websites. We may link information stored in cookies to Personal Information we have in our systems.

In addition, we and our third-party partners and suppliers may use cookies and other similar technologies to enhance the quality of your

interactions with the Websites, to provide you with targeted advertising, and to analyse the effectiveness of any such advertising (such as user engagement and interaction). We may also receive reports based on the use of certain technologies by these companies on an individual and anonymized basis.

Most browsers have options for deleting, blocking and/or disabling the use of cookies. For more information on how to do so, please refer to the documentation accompanying your browser. If you choose to disable cookies, some areas of the Websites may not function properly.

To learn more about third party cookies and other advertising networks and the opt out instructions, please visit <http://www.aboutads.info/choices> or <http://preferences-mgr.truste.com>.

## **2.5. Information collected from other sources:**

We work closely with third-parties (including but not limited to associate companies, business partners, resellers, advertising networks, analytics providers, and search engine providers) and may receive Personal Information about you from them to the extent permitted by applicable law, to enable us to establish accounts, fulfil orders and customize your experience on the Websites with personalized content. Where possible, we will inform you what information you are required to provide to us and what information is optional.

## **3. How We Use Your Information**

We may use the information held about you to:

- 3.1. establish, manage, and maintain our business relationships;
- 3.2. send communications;
- 3.3. respond to enquiries and requests;
- 3.4. develop, provide, and improve our products and services to you;
- 3.5. inform you about special offers, new products and services and important notices;
- 3.6. obtain feedback from you on our products and services;
- 3.7. provide you with a personalised experience when you interact with us;
- 3.8. conduct administrative and business functions to fulfil our contractual obligations with you;
- 3.9. enable you to subscribe to the Websites, newsletters, mailing lists and to register for events, competitions, workshops and seminars;
- 3.10. assess the performance of the Websites and to improve its operation;
- 3.11. process and respond to complaints;
- 3.12. update our records and keep contact details up to date;
- 3.13. process your application for employment with us, evaluate whether your qualifications may be suitable for other employment positions, and for employment-related purposes if you are hired;
- 3.14. comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator; industry codes to which we subscribe, or which

apply to us, in cooperation with any regulatory authority of any country; or as we otherwise believe to be necessary or appropriate under applicable law.

#### **4. Our Products and Services**

You acknowledge that some of our products and use of services may collect data that includes, but is not limited to, one or more of the following where applicable: data (such as number of bytes, number of packets, IP addresses, server name, and ports), process and system metrics (such as CPU, memory usage, disk i/o, applications and/or operating systems on which such products are used), performance data about applications that are instrumented (such as classes, methods, parameters, URLs, SQL statements, and IP addresses), user and administrative account information (such as name, email address, and phone number), and/or any transactions related to any of the foregoing (all such data collectively referred to as “**Data**”).

Not all products collect Data. Additional information about the Data that can be collected by a product is set forth in the applicable documentation for such product.

You acknowledge that Data may contain Personal Information, and that some Personal Information may be required to provide administrative access and control of certain products and services to you. Some products may permit you to specify what types of Data will be collected as described in the applicable documentation for such product.

You are solely responsible for the Data that you choose to collect and monitor; you acknowledge that some of the services and/or product functionality and features might not function if you do not enable collection of certain Data.

We may use, reproduce, and/or transmit the Data for your benefit as needed to provide you with products and related services. Data we collect is primarily used to display product and performance information back to the product user. Data is used for development, diagnostic and/or corrective purposes, including providing you with technical support regarding your use of our products and services.

#### **5. Where We Store Your Information**

5.1. The information we collect from you (including Data) may be transferred to, and stored at, a destination other than the country in which the information was collected (including but not limited to servers and data centres located locally and in other countries). By using the Websites, products and services or by providing any Data and/or Personal Information to us, where applicable law permits, you consent to the transfer, processing and storage of such information outside of the country where such information was originally collected at another destination in which we do business (and where data protection standards may be different).

We have concluded agreements with all recipients of your personal information to ensure that they treat your personal information with the same level of protection as we are required to do in the Republic of South Africa.

Notwithstanding the foregoing, you acknowledge that we are not obligated to retain any Data.

5.2. You represent and warrant that where you provide Data other than your own personal data:

5.2.1. you are competent to do so in terms of the laws of the country;

5.2.2. you have the necessary rights and licenses required to provide Data to us and our business partners, and

5.2.3. the use, reproduction, and transmission of the Data in accordance with the Agreement and this Privacy Policy will not infringe or misappropriate any intellectual property rights of any third parties or violate or breach any confidentiality requirements, contractual obligations or any applicable laws (including any applicable privacy laws). Without limiting the foregoing, you are responsible for providing notice to, and obtaining consent from, all your users regarding the collection, processing, storage and transfer of Data, including without limitation with respect to any international transfers outside of your country, and for responding to any queries from such users regarding the foregoing. For the avoidance of doubt, you are solely responsible for ensuring that any use of Data by us and/or you in connection with the products and or services as contemplated by the Agreement and this Privacy Policy does not violate any applicable laws.

## 6. Disclosure of Your Information

We do not rent or sell your Personal Information or Data to anyone. We may share your Personal Information and Data with your consent, and in the following circumstances:

6.1. *Contractors and/or Agents:* We may contract with other legal entities, contractors and/or agents to perform tasks on our behalf. We may need to share your information with our contractors and/or agents to provide the products and/or services to you. Our contractors and/or agents do not have any right to use Personal Information or Data but for the Personal Information and Data that we have shared with the contractors and/or agents, and solely for the purpose of the contractors and/or agents to assist us. We undertake to only share the Personal Information and Data that the contractors and/or agents require in order for the contractors and/or agents to assist us. We require our contractors and/or agents to agree to maintain the confidentiality of such Personal Information and Data.

6.2. *Business Partners:* We have an extensive network of channel partners and suppliers who help us sell and deliver our products and services. Additionally, some of our products and services incorporate software provided by third party suppliers.

6.2.1. We may share your Personal Information with our business partners for purposes of:

6.2.1.1. selling and providing products and services to you; and

6.2.1.2. to report on sales of products.

6.2.2. We may also obtain Personal Information about you from our business partners when you purchase products and services from such business partners. We require our business partners to maintain the confidentiality of your Personal Information that we provide to them.

6.2.3 In the event that you have a separate agreement with a business partner that will control that business partner's use of your Personal Information, this Privacy Policy will not apply to the information held by that business partner.

6.3. *Business Transfers:* In some cases, we may elect to:

6.3.1 buy and/or sell assets;

6.3.2 become involved in a merger, acquisition or similar transaction.

In the type of transactions mentioned in 6.3 above, customer information (which may include Personal Information and Data) could be one of the assets that is transferred. We and the acquiring entity undertake to retain the confidentiality of such information.

6.4. *Protection of the Company and Others:* We may disclose and/or share Personal Information, Data and other information, if we believe, in good faith, that such disclosure or sharing is legally required or is necessary to protect our legal rights (including, but not limited to, our intellectual property rights and enforcement of our agreements), the legal rights of others, or the safety and/or security of us, our Directors, our Shareholders, our employees, our customers, and/or other users.

*You expressly consent to the sharing of your Personal Information and Data as described in this Privacy Policy.*

## **7. Security**

7.1. The security of your Personal Information and Data is important to us. We use certain security measures, including but not limited to, administrative, physical, and technical safeguards to protect your Personal Information and Data from unauthorized access, use, modification, or disclosure. Those safeguards may include measures for preventing and/or restricting access, use, modification or disclosure of Personal Information and Data by our personnel, and/or duly authorised contractors and/or agents, except as required by such personnel and/or contractors and/or agents:

7.1.1. to provide products and services to you,

7.1.2. to provide support, product development and related services, including to prevent or address service or technical problems and make improvements,

7.1.3. as compelled by applicable law or as required to protect our legal rights, or

7.1.4. as you expressly permit or instruct in writing.

Any of our personnel and/or contractors and/or agents that requires access to Personal Information or Data will be bound by a confidentiality agreement.

7.2. Where applicable, please do not disclose your website login credentials to unauthorized people. You are responsible for the security of your login credentials and for any activity that occurs under your account with us.

7.3. Please be aware that no security measures can wholly eliminate security risks associated with Personal Information and Data; please keep this in mind when disclosing any sensitive information to us.

7.4. If we learn of a breach of our systems, we may notify you and others in a manner that is consistent with applicable law and/or as agreed by us in writing.

## **8. Public Forums**

We offer individuals the opportunity to interact and publish content via discussion forums, blogs, and other means on the Websites and social media (hereinafter referred to as “**Online Communication Tools**”). If you use such Online Communication Tools, any information that you disclose becomes publicly available, and may be used to contact you, to send unsolicited messages to you, or for any other purposes that we or you may have no control over. Your use of certain Online Communication Tools may be subject to additional terms and conditions. We are not responsible for the Personal Information or any other information you choose to submit or publish via these Online Communication Tools.

## **9. Marketing**

We may use information held about you to provide you, or permit selected third parties to provide you, with information about products or services we feel may interest you. If you do not want us to use your information in this way, or to pass along your details on to third parties for marketing purposes, you can unsubscribe from such emails using the link provided in the emails, please email us at [marketing@tyrelife.co.za](mailto:marketing@tyrelife.co.za), or select the relevant opt-out option on the form in which we are collecting your information.

## **10. Links to Third-Party Websites**

10.1 We may provide links on the Websites to other third-party websites (hereinafter referred to as “**External Websites**”) which are beyond our control.

10.2 Your use of the External Websites will not be in accordance with our Terms and Conditions and/or Privacy Policy. We are not responsible for the privacy practices or the content on the External Websites and your use of the External Websites are entirely at your own risk. Accordingly, we accept no liability for any loss and/or damages that you may suffer as a result of your use on the External Websites.

## **11. Your Privacy Rights**

11.1. To the extent permitted by applicable law, we may communicate with you for direct marketing purposes regarding information about our products, services and solutions that we consider may be of interest to you. These communications may be in various forms, in accordance with applicable laws.

11.2. Our Privacy Policy provides you with details on how you may opt-out of the use of your Personal Information by third parties for marketing purposes. You may continue to receive marketing communications after you have elected to opt-out. We will process your request as soon as reasonably possible.

11.3. If you have elected to opt-out from receiving marketing communications from us, you will continue to receive administrative messages from us regarding our products and related services as required in terms of our contractual obligations.

## **12. Access and Correction**

12.1. We make all reasonable efforts to ensure that your Personal Information is stored securely both in electronic and physical form.

12.2. You have a right to ask us to update, correct and/or delete your Personal Information. If you wish to access, correct, update, suppress, or delete your Personal Information that has been previously provided to us, please email your request to: [marketing@tyrelife.co.za](mailto:marketing@tyrelife.co.za).

## **13. How long will we retain Your Personal Information?**

We will retain your Personal Information for the period necessary to fulfil the purposes outlined in this Privacy Policy, unless a longer retention period is required or permitted by law.

## **14. Contact Us**

Should you have questions or concerns related to this Privacy Policy, please email your questions or concerns to [marketing@tyrelife.co.za](mailto:marketing@tyrelife.co.za).

## **15. Updates**

We reserve the right to update and/or amend this Privacy Policy. When this occurs, we will post the amended and/or updated version of the Privacy Policy on the Websites. We encourage you to periodically review this Privacy Policy so that you remain informed as to how we are protecting your Personal Information and Data. Your use of the Websites, products and/or services following these changes to the Privacy Policy means that you accept and agree to the terms and conditions stated in the amended and/or updated Privacy Policy.