



## Website Privacy Policy

This policy (Indawo Website Privacy Policy) has been drafted for the protection of any information submitted to Indawo Cape (Pty) Ltd ("the Responsible Party") by yourself ("the User") (including Juristic Persons or other entities) of the domains: [www.indawo.biz](http://www.indawo.biz), [www.indawogroup.co.za](http://www.indawogroup.co.za) and [indawosouthafrica.blogspot.com](http://indawosouthafrica.blogspot.com), ("the Website").

The Responsible Party subscribes to the principles as described in the Protection of Personal Information Bill ("the Bill") (soon becoming law, as an Act of Parliament) and further to Section 51 of the Electronic Communications and Transactions Act ("the Act"). Reference will mainly be confined to the Bill, since all the principles in section 51 of the Act are also in the Bill.

### How does the Responsible Party protect your information?

As described in the Act, certain principles of protection form the cornerstones of protection of personal Information. Each one will be listed here and how it is applied in the Responsible Party's Company.

#### 1. Accountability:

The Act requires the Responsible Party (that is Indawo Cape (Pty) Ltd) to handle all information that is submitted to it via the website. The Responsible Party has safety and security mechanisms in place, through its Information technology department, and legal department, to ensure the maximal compliancy with the Act.

#### 2. Processing limitations:

The Act provides for the processing of personal information that is lawful, does not infringe on the privacy of the data subject, information that is minimal, information that is only processed with the consent of the User.

The Act provides for the prohibition on the storage and dissemination (hereinafter defined as "Processing") of information relating to the Users:

Race, Religion, Trade Union Membership, Political Persuasion, Health, Sexual Life and Criminal Behaviour ("the Prohibited Content").

The User must take note of the Following:

The Responsible Party will not process the Prohibited Content or other personal information submitted on the website without the User's express consent. The Responsible Party only receives information related to the following and will not use such information without the User's consent

#### 2.1. Processing of data related to Curriculum Vitae ("CV")

The User must understand that by submitting its CV it expressly consents to the Responsible Party Processing its personal information, whether such information includes the Prohibited Content or not. IT IS IN THE USERS DISCRETION WHAT PERSONAL INFORMATION IS SUBMITTED TO THE RESPONSIBLE PARTY, AND IF SUCH INFORMATION CONTAINS PROHIBITED CONTENT, WHICH THE USER EXPRESSLY CONSENTS TO THE PROCESSING THEREOF. The CV contains essential information to allow the Responsible Party to decide if the User is a suitable candidate to employ under the Responsible Party's company name. It must be stressed that the Responsible Party will not process such information beyond the scope of what is required to carry out the selection of prospective employees. The Responsible Party will store such information for record purposes only, and will not disseminate such information.

#### 2.2 Processing of data relating to the User requesting a quotation

The User, by submitting its name, surname, address, email, address, telephone numbers, company details, timeframes of projects, budgets of projects and any other details entered on the Website, expressly consents to the Processing of such submitted personal information. The Responsible Party will only process such information that relates to the purpose of obtaining a quotation and the services that the Responsible Party provides. THE RESPONSIBLE PARTY MAY SEND EMAILS AND PROMOTIONAL MATERIALS TO THE USER AND BY SUBMITTING SUCH DETAILS THE USER CONSENTS TO THE PROCESSING AND USE OF SUCH INFORMATION THAT RELATES TO THE SERVICES THAT THE RESPONSIBLE PARTY OFFERS, WHETHER SUCH INFO INCLUDES PROHIBITED CONTENT OR NOT. THIS IS AT THE USER'S DISCRETION.

#### 2.3 Privacy and general surfing or browsing

It is possible for a User to surf the Website without the provision of personal information . THE USER GIVES ITS EXPRESS CONSENT FOR THE WEBSITE SERVER TO COLLECT ITS IP ADDRESS AND OTHER DISTINGUISHING INFORMATION. The purpose for such collection of the IP address is merely to gauge as the number of visits to the Website, what pages on the Website were viewed, and time spent on the Website. The Responsible Party does this to allow room for possible improvements to the use and content of the Website. THE RESPONSIBLE PARTY IS UNDER NO OBLIGATION TO PROTECT THIS INFORMATION AND MAY USE, DISTRIBUTE AND COPY SUCH INFO AS IT DEEMS FIT.

#### 3. Minimality

The Act provides for Minimality. This means that personal information may only be processed if, given the purpose for which it was processed, it is adequate, relevant and not excessive. The Responsible Party will only process the submitted personal information for the purposes specified in clauses 2.1- 2.3 above. The User hereby declares that the information it submits is true, correct, and relevant to the purposes specified above. The Responsible Party is not responsible for any incorrect information submitted.

#### 4. Consent, Justification and Objection

The Act requires that in order for any personal information that is submitted requires:

#### 4.1 Consent by the User

4.2. Such Processing is necessary to carry out actions for the conclusion or performance of a contract between the User and the Responsible Party.

4.3 Processing is in the legitimate interests of the User.

The User as stated above hereby consents to such Processing, to the extent it relates to the purposes as specified in clause 2.1- 2.3. The User further acknowledges that the Processing is in its legitimate interests, with respect to clause 2.1 when submitting a CV. The User further acknowledges that such Processing, in clause 2.2, is necessary for the conclusion or performance of a contract between the User and the Responsible Party.



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### 5. Retention of Data

The Act requires that retention of such data is necessary for achieving the purpose for which it was collected. It must be stressed that if the retention of records goes beyond the scope of the purposes, such information will be destroyed or degraded to an extent that the information cannot lead to the identity of a user. Retention may be required for lawful purposes.

### 6. Further Processing

The Act says that information may only be processed further if it is compatible with the purpose for which such information is collected. The User hereby consents to such Processing insofar as it relates to the purposes listed in clauses 2.1- 2.3. The User hereby consents to such further Processing and declares that it understands that such processing is only related to the purposes in 2.1- 2.3.

### 7. Information Quality

According to the Act the Responsible Party must take reasonable steps to ensure that all data is correct, complete, accurate not misleading and updated where necessary. THE USER HEREBY DECLARES THAT SUCH INFORMATION IS, IN FACT, CORRECT, COMPLETE, ACCURATE, NOT MISLEADING, AND UNDERTAKES, WHERE NECESSARY, TO UPDATE THE RESPONSIBLE PARTY AS TO ANY UPDATES IN SUCH INFORMATION.

### 8. Openness and Data Subject Participation

In accordance with the Act in the event that personal information is collected, the Responsible Party must take reasonably practicable steps to ensure that the User is aware of:

YOUR ATTENTION IS DRAWN TO THE FOLLOWING:

- The information being collected;
  - Please see clauses 2.1- 2.3
- The name and address of the Responsible Party;
  - Company name: Indawo Cape (Pty) Ltd (Reg no: 1967/003120/07)
  - Physical address: Unit 2, Transnet Park, Robert Sobukwe Road (Modderdam Road) N/S
  - Postal address: Po Box 5350, Tygervalley, 7536
- Website address: [www.indawo.biz](http://www.indawo.biz)
- E-mail address: [info@indawo.biz](mailto:info@indawo.biz)
- Telephone number: +27 21 941 5000 (South Africa)
- The purpose for which the information is being collected;
  - Please see clause 2.1-2.3
- Whether or not the supply of the information by that data subject is voluntary or mandatory;
- The Supply of info with regard to 2.3. Is Mandatory. However 2.1 and 2.2 is Voluntary.
- The consequences of failure to provide the information;
  - None in Clause 2.1-2.2
  - The User may not utilise the site if information is not submitted
  - any particular law authorising or requiring the collection of the information;
- The Electronic Communications and Transactions Act 25 of 2002
- Protection of Personal Information Act 4 of 2013
  - any further information, such as the recipient or category of recipients of the information; nature or category of the information; and existence of the right of access to and the right to rectify the information
- Only employees, directors, shareholders, prescribed officers or other stakeholders may be recipients of such information, which is related to the purposes of the collection thereof.
- Access to rectify the Information : in the In the event the User feels that the Responsible Party is not adhering to the Privacy Policy or that information is incorrect, then the User should communicate this fact by electronic mail to [info@indawo.biz](mailto:info@indawo.biz) . The Responsible Party will evaluate the Users representations and, if in the opinion of the Responsible Party, using its sole discretion, a corrective action is necessary, it will take such remedial actions as it deems fit. The Responsible Party will communicate its findings to the User in such cases within a reasonable period.

### 9. Security Measures

General and accepted construction industry information security practices and procedures are in place The Responsible Party will to the best of its ability protect all personal information submitted to it by the User from loss or damage to personal information as a result of unauthorised access to such personal information. THE USER MUST HOWEVER REMEMBER THE CONTENTS OF CLAUSE 9.5 IN THE TERMS AND CONDITIONS. We will notify you in the event any security breaches do take place.

The Indawo website privacy policy has been drafted in accordance with the requirements of the law, and is subject to change and also approval by Indawo's auditors and attorneys.

