



Privacy Policy

This Privacy Policy forms part of our WEBSITE TERMS AND CONDITIONS OF USE. If you do not agree with any term of this Privacy Policy, you must cease your USE OF OUR SERVICES AND access of OUR websites, mobile sites, mobile applications, emails or any other technology or service you use to INTERACT WITH US OR access our services immediately.

1. Definitions

The following words and phrases have these meanings in this document:

- 1.1 "Personal Information" is as defined in POPI.
- 1.2 "Platforms" means **X-nam Holdings (Pty) Ltd's** website at URL <https://www.xnamholdings.com/> (including subdomains) or such other URL as **X-nam Intelligent Consultancy, X-nam Construction, X-nam Designing, X-nam Landscaping & Irrigation, X-nam Signs & Graphics and X-nam Photography** may choose from time to time as well as all of **X-nam Holdings (Pty) Ltd's** websites, mobile sites, mobile applications, emails or any other technology or service you use to interact with **X-nam Holdings (Pty) Ltd** or access **X-nam Holdings (Pty) Ltd's** Services.
- 1.3 "POPI" means the Protection of Personal Information Act 4 of 2013.
- 1.4 "Process" in relation to Personal Information means to collect, organise, store, modify, retrieve, refer to, distribute, or erase, or otherwise as defined in POPI.
- 1.5 "Services" means any services offered by **X-nam Holdings (Pty) Ltd** or available for use on the Platforms.

2. Status and Amendments

- 2.1 We respect and recognise the importance of protecting your privacy. This Privacy Policy statement sets out our information gathering and dissemination practices in respect of our Services and the Platforms.
- 2.2 This Privacy Policy forms part of the **X-nam Holdings (Pty) Ltd's** Terms and Conditions of Use. If you do not agree with this Policy, then you may not use our Services or access our Platforms and are required to cease doing so immediately.
- 2.3 It is important that you read this Privacy Policy together with other terms and conditions, privacy notices or policies we may provide on specific occasions when we collect or use your Personal Information. This Privacy Policy supplements these notices and policies, and is not intended to override them.
- 2.4 Due to legal and other developments, we reserve the right to amend the terms and conditions of this Privacy Policy at any time. It is your duty to be aware of the current version of this Privacy Policy. Please refer to the last revision number and date at the top of this document. We will notify you when you next visit the Platforms and will also make reasonable efforts to notify you by email.
- 2.5 Continued use of our Services or the Platforms subsequent to any amendments having been effected constitutes your acceptance of the Privacy Policy as amended.
- 2.6 If you are below the age of 18 years, you must always get permission from your parent or guardian before you use our Platforms or give us your information. Please note, we may check that your parent or guardian has given you permission to use our Platforms and/or give us your Personal Information and may ask you for their contact details to contact them. We may also check that the contact details you have given us are correct and are the details of a person who is actually your parent or guardian.

3. Privacy: Casual Surfing

- 3.1 You may visit the Platforms without providing any Personal Information. The Platforms' servers may in such instances collect the IP address of your computer or device, but not the email address or any other distinguishing information. This information is aggregated to measure the number of visits, average time spent at the Platforms, pages viewed, etc. We use this information to determine use of the Platforms, and to improve content thereon. We assume no obligation to protect this information, and may copy, distribute or otherwise use such information without limitation.

4. Collection of Personal Information

- 4.1 When you register for an event or sign up to use any of our Services or if you access and use any of the Platforms, we collect Personal Information about you, including information that directly or indirectly identifies

you if you choose to share it with us. You consent to us processing your Personal Information as set out herein.

4.2 We will only collect Personal Information for a purpose consistent with the purpose for which it is required. We collect the following information:

- your name and surname;
- your company name and registration number;
- your email address;
- mobile phone number;
- location information;
- your contact details;
- physical or postal address;

information from your browser, computer, or mobile device, which provide us with technical information when you access or use the Platforms or use our Services, including device and network information, cookies and analytics information; and in certain circumstances (provided you have explicitly consented to us collecting and processing this Personal Information) your race or ethnic origin; gender; age; religious or philosophical beliefs; financial, health or biometric information; culture; language; education or employment history.

4.3 Should your Personal Information change at any point, please contact us and provide us with such updates as soon as reasonably possible.

4.4 We may allow you to sign up and log in to the Platforms using third-party services and social media applications, such as Gmail, Facebook, Twitter, LinkedIn and Instagram. If you access the Platforms with third-party accounts, we will collect information you have agreed to make available such as your name, email address, profile information and preferences with the third-party account.

5. Use and Processing of Personal Information

5.1 We will only Process Personal Information in a manner that is adequate, relevant and not excessive in the context of the purpose for which it is Processed. That purpose will be compatible with that for which it was collected, unless you have consented to an alternative purpose in writing or we are permitted by POPI or in terms of national legislation of general application.

5.2 We will not, without your express consent, use your Personal Information for any purpose other than as set out below.

5.3 We use the information we collect to:

- provide you with a quotation;
- identify you, verify your identity and enter into a contract with you if applicable;
- provide you with access to the Platforms;
- present certain material set out on the Platforms to you;
- as necessary to provide our Services and pursuant to our Terms and Conditions and the relevant agreement you entered into with us to use such Services;
- allow you to submit requests through the Platforms;
- communicate with you as necessary;
- inform you of new features, special offers and promotional competitions (unless you have opted out from receiving marketing material from us);
- improve the Platforms;
- get feedback from you which we need to develop our Services and grow our business;
- personalise your interactions with our Platforms, tailor our Services and Platforms to your interests and needs, and ensure they work on your device;
- provide advertising that is relevant to you, limit the number of times you see the same advertisement and measure the effectiveness of the advertisements on our Platforms based on your online activities such as the websites and apps you use or content you view, and information we have about you;
- where necessary to comply with any legal obligation; and
- process as described elsewhere in this clause.

5.4 YOU EXPRESSLY AGREE THAT WE MAY USE PERSONAL INFORMATION COLLECTED TO COMPILE PROFILES FOR STATISTICAL PURPOSES AND TRADE IN THESE PROFILES. WE MAY DE-IDENTIFY (ANONYMISE) AND THEN RETAIN AND USE YOUR PERSONAL INFORMATION FOR OUR OWN INTERNAL PURPOSES AND IN ORDER TO PROVIDE MARKET ANALYSIS AND RELATED SERVICES TO THIRD PARTIES. NO INFORMATION CONTAINED IN THE PROFILES OR STATISTICS WILL BE ABLE TO BE LINKED TO ANY SPECIFIC USER.

5.5 You have the right to ask us not to contact you for marketing purposes, and you can do this at any time by using any of the various “opt out” options that we always provide you with when we send you marketing communications.

5.6 You may, at any time, access your Personal Information which we hold. You may also correct your personal information held by us, should the need arise. You may also, at any time, lodge an objection with us regarding

our collection and use of your Personal Information. In this regard, you may send an email to ben@xnamholdings.com.

6. Third Parties

- 6.1 We will not disclose any Personal Information relating to you to any third-party unless your prior written agreement is obtained, or we are required to do so by law.
- 6.2 You agree that we may disclose your Personal Information to our employees, affiliates and/or third-party service providers who assist us to interact with you and to provide our Services.
- 6.3 If we outsource any Services to a third-party that require the collection or use of your Personal Information, we put in place contracts that require these companies or people to respect the security of your Personal Information, treat it in accordance with the law, and collect and use it only for the purposes authorised by us.
- 6.4 You also expressly agree that should you register for any event, enter into a competition or use our Services for which we have a corporate or other sponsor, we may share and disclose your Personal Information collected for the specific event, competition or Service with such sponsor and where the provision of your information is a condition for entry to the competition, or where you express your interest in a service about which you would like more information.

7. Destruction of Personal Information

- 7.1 We will delete all Personal Information, insofar as it relates to you when it receives a written instruction from you to do so unless we are obliged by law or under our obligations to you to retain such information.
- 7.2 We will destroy or delete any Personal Information that is no longer needed by us for the purpose it was initially collected, or subsequently Processed.
- 7.3 We may retain information to comply with the law, prevent fraud, resolve disputes, troubleshoot problems and enforce any of our terms. Any information we retain will be handled in accordance with this Privacy Policy.

8. Collection of anonymous data

- 8.1 We may utilise temporary or session cookies. A cookie is a small text file that is stored on your device (computer, mobile phone, tablet or other) by a website's server. Each cookie is unique to your web browser and contains completely anonymous information such as a unique identifier and the website name. This allows a website to remember things like your personal preferences, products you prefer or what's in your shopping basket.
- 8.2 We utilise first and third-party cookies. This enables us to improve your experience on the Platforms through various means such as storing preferences (like keeping you logged in) or determining aggregate usage behaviour (time on site, number of pages viewed etc.) through web analytics tools like Google Analytics and to provide more relevant display advertising to users who have visited the Platforms, using third party tools such as the Google Analytics Remarketing.
- 8.3 This allows us to track your use of the Platforms.
- 8.4 Cookies by themselves will not be used to personally identify users but we may use them to compile de-identified statistics relating to use of or feedback on the performance of the Platforms.
- 8.5 The following classes of information may be collected in respect of users who have enabled cookies:
 - The browser software used;
 - IP address;
 - Date and time of activities while visiting the Platforms;
 - URLs of internal pages visited; and
 - referring websites, search engines and the like.
- 8.6 We are committed to providing you choices to manage your privacy and sharing.
- 8.7 If you do not wish cookies to be employed to customize your interaction with the Platforms, it is possible to alter the manner in which your browser handles cookies. Please note that, if this is done, certain services on the Platforms may not be available. Users can also opt out of the Google Display Network using the Ads Preferences Manager. Because some of the Platforms' features utilise cookies, we recommend that users do not block them.
- 8.8 You can opt out of a third party website's use of cookies by sending a mail to ben@xnamholdings.com with the subject line **(opt-out of Collection of anonymous data)**

9. Links to other Websites

- 9.1 We have no control over and accepts no responsibility for the privacy practices of any third party websites to which hyperlinks may have been provided and we strongly recommend that you review the privacy policy of any website you visit before using it further.

10. Security

- 10.1 We will take appropriate, reasonable technical and organisational measures as required by applicable law to protect the information submitted to or collected by the Platforms from loss, misuse, unauthorised disclosure, alteration or destruction.
- 10.2 We will secure the integrity and confidentiality of Personal Information in our possession or under our control by taking appropriate, reasonable technical and organisational measures to prevent:
 - 10.2.1 loss of, damage to or unauthorised destruction of Personal Information; and
 - 10.2.2 unlawful access to or processing of Personal Information.
- 10.3 We will take reasonable measures to:
 - 10.3.1 identify all reasonably foreseeable internal and external risks to Personal Information in its possession or under our control;
 - 10.3.2 establish and maintain appropriate safeguards against the risks identified;
 - 10.3.3 regularly verify that the safeguards are effectively implemented; and
 - 10.3.4 ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
- 10.4 We endeavour to protect your Personal Information, but you understand that no data transmission over the Internet can be guaranteed to be absolutely secure, and we cannot ensure or warrant the security of any information you transmit to us. Transmitting Personal Information is done at your own risk.

11. EU Members' Rights

- 11.1 If you normally live in the European Union ("EU"), you have the right to access, rectify, download or erase your information, as well as the right to restrict and object to certain processing of your Personal Information as fully described here:
 - 11.1.1 you can access your information by logging into your account and can rectify, restrict, limit or delete your information, or contact us to do so;
 - 11.1.2 if we Process your information as set out above, you can object to this Processing in certain circumstances;
 - 11.1.3 if you have given us consent to Process information, you have the right to withdraw your consent at any time; and
 - 11.1.4 if you have a concern about our use of your information, you have the right to raise such concern with your local supervisory authority.

12. Transfer of Personal Information

- 12.1 Our Platforms and Services are operated from the Republic of South Africa ("RSA"). If you are not located here, and choose to use the Platforms and Services, or provide information to us, you acknowledge and understand that your information will be transferred, processed and stored in the RSA, as it is necessary, and the RSA's privacy laws may not be as protective as those in your jurisdiction.
- 12.2 If you are a resident of the EU, we are the controller of your personal data for the purposes of EU data protection law.
- 12.3 We will not transfer your Personal Information or any portion of it to any third party for any reason without your prior written consent, except to the extent that we use third party service providers to host its database, subject to the provisions of clause 10 (Security).
- 12.4 We may use hosting or cloud services to operate the Platforms and Services and store our data which are not located in the RSA. If we do so, we will ensure that the level of protection given to your Personal Information is at least as good as that provided for under RSA Law, either by means of a binding contract with the service provider, or by using a service provider located in a country with privacy laws of similar or stronger effect.

13. Queries

- 13.1 If you have any queries about this Privacy Policy, please contact us by emailing ben@xnamholdings.com with the subject line **(Queries)**

X-nam Holdings (Pty) Ltd.

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