



Plug in. Prosper.

8th Floor The Mall Offices  
11 Cradock Avenue Rosebank 2196  
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E info@mindworx.co.za  
www.mindworx.co.za

## MINDWORX PRIVACY NOTICE

### 1 INTRODUCTION

- 1.1 Mindworx respects and acknowledges the importance of protecting your Personal Information.
- 1.2 This Privacy Notice sets out how we will process your Personal Information in the ordinary course of conducting our business and in addition applies to Mindworx's websites. This Privacy Notice also sets out your rights in relation to your information and who you can contact for more information or queries.

### 2 WHAT PERSONAL INFORMATION WE COLLECT

- 2.1 When you interact with us, we may collect Personal Information from you. You can choose not to provide Personal Information when requested. However, without your requested Personal Information, we may not be able to provide or continue to provide you with the products or services offered by Mindworx or allow you full access to our websites.
- 2.2 We will only collect the minimum Personal Information that we deem necessary to process for ordinary business purposes. Personal Information we collect from you may include:
  - 2.2.1 your first and last or company name, email address, phone number and other contact information;
  - 2.2.2 log-in and account information for authentication purposes and account access;
  - 2.2.3 your marketing preferences;
  - 2.2.4 demographic data such as your gender, age, country and preferred language.
- 2.3 It is not standard practice for us to collect sensitive Personal Information about you, such as information relating to your health, religion, political beliefs, race or sexual orientation, except with your express consent or unless we are required to do so by law.
- 2.4 If we link other data with your Personal Information as provided to us, we will treat that linked data as Personal Information.
- 2.5 Our Website may collect standard internet log information, including your IP address, browser type and language, access times and referring website addresses.



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### 3 **HOW WE COLLECT PERSONAL INFORMATION**

We may collect your Personal Information in a variety of ways when you interact with us, including when:

- you engage us to provide our products and services;
- you create an account with us;
- we respond to your inquiries and requests;
- as a result of communications between you and our representatives;
- we obtain feedback from you about our products and services;
- we conduct our administrative and business functions;
- you register for any of our events, workshops and seminars;
- you subscribe to our mailing lists and newsletters;
- we market our solutions and services to you;
- you access and use our websites; and
- you apply for employment with or through us.

We may also collect your Personal Information from third party sources and third parties including public databases, business partners with whom we offer co-branded services or engage in joint marketing activities, and third parties that provide list enhancement or similar services, to the extent that this is permitted by applicable law.

### 4 **USE OF YOUR PERSONAL INFORMATION**

4.1 We collect and use Personal Information to:

- send communications to you;
- establish, manage, and maintain our business relationships;
- respond to inquiries and requests;
- develop, provide, and improve our services and products;
- inform you about our services and solutions;



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- obtain feedback from you on our services and solutions;
- provide you with a more personalised experience when you interact with us;
- conduct administrative and business functions;
- update our records and keep contact details up to date;
- enable you effectively to use and to improve our websites;
- compile website usage statistics;
- enable you to subscribe to newsletters and mailing lists;
- enable you to register for Mindworx events, workshops and seminars;
- recruit staff;
- assess the performance of our websites and to improve their operation;
- process and respond to privacy questions, concerns and complaints; and
- fulfil legal and contractual obligations.

4.2 Personal Information may also be used based on the legitimate interests pursued by Mindworx or its affiliates, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of Personal Information.

4.3 In the event that you refuse to permit Mindworx to utilise your Personal Information in the manner described in this Privacy Notice, Mindworx will not be in a position to offer you our products and services.

## 5 **LEGAL BASIS FOR PROCESSING**

5.1 We rely on the following legal grounds in order to process your Personal Information:-

5.1.1 we have a legitimate interest in building and managing our relationship with you;

5.1.2 the information is required in order to provide you with the services that you have indicated you are interested in receiving from us; or

5.1.3 we are subject to legal or regulatory obligations, such as providing information to a public body or law enforcement agency.



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- 5.2 To the extent that we process any sensitive Personal Information relating to you for any of the purposes outlined above, we will do so because either:
- 5.2.1 you have given us your explicit consent to process the information;
  - 5.2.2 the processing is necessary to carry out our obligations under applicable laws;
  - 5.2.3 the processing is necessary for the establishment, exercise or defense of legal claims; or
  - 5.2.4 you have made the information manifestly public.

## 6 TRANSFERS TO THIRD PARTIES

- 6.1 While processing your Personal Information for the purposes indicated above, Mindworx may use the services of third parties. Thus, the third parties may receive or have access to your Personal Information.
- 6.2 Mindworx may share the information we collect with:

### 6.2.1 ***Mindworx subsidiaries and affiliates***

- 6.2.1.1 We share information with our subsidiaries and affiliates to help provide our services or conduct data processing on our behalf.

### 6.2.2 ***Mindworx service providers and business partners***

Mindworx may provide information to its vendors, consultants, marketing partners, research firms, and other service providers or business partners. This may include, for example:

- 6.2.2.1 cloud storage providers;
- 6.2.2.2 vendors that assist Mindworx to enhance the safety and security of its Apps;
- 6.2.2.3 consultants, lawyers, accountants and other professional service providers;

### 6.2.3 ***For legal reasons or in the event of a dispute***

Mindworx may share your information if we believe it is required by applicable law, regulation, operating agreement, legal process or governmental request, or where the disclosure is otherwise appropriate due to safety or similar concerns.

### 6.2.4 ***With your consent***



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Mindworx may share your information other than as described in this Privacy Notice if we notify you and you consent to the sharing.

- 6.3 When using the services of any service providers and business partners Mindworx will ensure, contractually (hereinafter referred to as “Data Processing Agreements”), that the third party will employ suitable technical and organisational measures to protect your Personal Information, as required by applicable law.

## 7 **CROSS-BORDER DATA TRANSFERS**

Mindworx's business processes may go beyond the borders of South Africa. Consequently, your data may be subject to cross border data transfers. When making cross border transfers of Personal Information Mindworx will ensure that any third party processor will be required to employ suitable technical and organisational measures to protect your Personal Information as required by the applicable law, either contractually by means of appropriate Data Processing Agreements or by means of other suitable safeguards recognised by Data Protection Laws.

## 8 **RETENTION**

- 8.1 We retain your Personal Information for as long as is necessary to fulfil the purposes for which it was collected, or to comply with legal obligations, resolve disputes, protect our assets, or enforce agreements. Depending on the purpose, retention periods will vary.
- 8.2 The criteria we use to determine retention periods include whether:
- we are under a legal, contractual or other obligation to retain Personal Information including pursuant to data retention laws, as part of an investigation or for litigation purposes;
  - Personal Information is needed to provide our solutions and services business including performance improvement and to maintain accurate business and financial records;
  - there are automated means to enable you to access and delete your Personal Information at any time. We will generally retain Personal Information for a shorter period of time, where this is not the case; and
  - the Personal Information is sensitive Personal Information in which event we will generally retain this for a shorter period of time
  - you have consented to us retaining your Personal Information for a longer retention period, in which case, we will retain Personal Information in line with your consent.



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## 9 SECURITY OF YOUR PERSONAL INFORMATION

Mindworx is committed to protecting your Personal Information from misuse, loss, unauthorised access, modification or disclosure by using a combination of physical, administrative and technical safeguards and by contractually requiring that third parties to whom we disclose your Personal Information do the same. Whilst Mindworx makes every effort to secure its Apps and websites, you should note that the internet is not completely secure; thus when you submit or post Personal Information online, you should be aware that Mindworx cannot guarantee the security of any Personal Information that you submit or post online.

## 10 COOKIES AND SIMILAR TECHNOLOGIES

10.1 Cookies are text files that are stored on your browser or device by websites, apps, online media, and advertisements.

10.2 Mindworx uses cookies and similar technologies for purposes such as:

- authenticating users;
- remembering user preferences and settings;
- determining the popularity of content;
- delivering and measuring the effectiveness of advertising campaigns; and
- analysing the online behaviour and interests of people who interact with our services. We may also allow others to provide audience measurement and analytics services for us, to serve advertisements on our behalf across the internet, and to track and report on the performance of those advertisements. These entities may use cookies, web beacons, SDKs and other technologies to identify your device when you visit our site and use our services, as well as when you visit other online sites and services.

10.3 We recommend that you allow cookies. On most browsers cookies are enabled by default. You can adjust the settings and options on your browser to disable or enable them or visit <https://www.aboutcookies.org> for detailed information about managing cookies on various browsers.

## 11 SOCIAL MEDIA

We operate and communicate through our designated channels, pages and accounts on some social media sites to inform, help and engage with our users. We monitor and record comments and posts made about us on these channels so that we can improve our services. The general public can access and read any information posted on these sites. We are not responsible for any information posted on those sites other than the



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information posted by our designated officials. We do not endorse the social media sites themselves, or any information posted on them by third parties or other users. When you engage with us through social media, your Personal Information may be processed by the site owner; this processing occurs outside of our control and may take place in a country outside South Africa that may have different privacy regulations. We regularly update and monitor our social media accounts and welcome feedback and ideas sent to us through these channels. We try to join conversations whenever possible but cannot guarantee that we will read or reply to all messages sent to official Mindworx social media accounts. Consistent feedback and helpful suggestions will be given to the relevant people within the company for consideration, but we cannot guarantee that any feedback or suggestions will be acted upon by Mindworx.

## 12 **CHANGES TO THIS PRIVACY NOTICE**

Mindworx may update this Privacy Notice from time to time. Any updates of this Notice will be communicated to you and will be posted on the Mindworx website, together with an updated revision date. Unless otherwise stated, any new Privacy Notice will supersede the previous Notice.

## 13 **YOUR RIGHTS**

- 13.1 You have the right to receive information from Mindworx regarding Mindworx's treatment of your Personal Information.
- 13.2 You have the right to request rectification and/or erasure of your Personal Information or restriction of processing concerning you, or to object to the processing of your Personal Information, as well as the right to data portability.
- 13.3 To exercise your rights, you can contact the Mindworx Information Officer on **[0114844747 or [popi@mindworx.co.za](mailto:popi@mindworx.co.za)]**.
- 13.4 If you have any complaint about the manner in which Mindworx handles your Personal Information you may lodge a complaint with the South African Information Regulator ([infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)).