



Privacy Policy Website

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1. Introduction

Welcome to our privacy policy. We respect your privacy and take it very seriously. We are KAP Limited (KAP), and this is our plan of action for the protection of your personal information. It describes how we collect, use, disclose and store your personal information.

2. Audience

This policy applies to you if you are:

- a visitor to our website;
- supplier or service provider; or
- a customer that has ordered goods or services we provide.

3. Personal information

Your personal information includes information we collect:

- automatically when you visit our website;
- on your registration or submission;
- telephonically;
- when you apply for and use certain services;
- through an order, booking or purchase; or
- when you provide it voluntarily.

It excludes anonymous, de-identified and statistical information.

3.1 Common examples

Common examples of the types of personal information which we may collect, and process include your:

- identifying information – such as your name, date of birth or identification number of any kind;
- contact information – such as your phone number or email address;
- address information – such as your physical or postal address; or
- company information – such as your company incorporation records, tax and VAT records, credit history, invoices and statements and insurance information.

3.2 Sensitive personal information

Depending on the goods or services that you require, we may also collect sensitive personal information including your:

- financial information – such as your bank account details; or
- criminal information – in limited circumstances, such as information about your commission or alleged commission of any offence or about any related legal proceedings through our external or internal disclosure channels.

4. Acceptance

4.1 Acceptance required

You may not use our website, any services we provide or order any of our goods, if you do not accept this policy or any changes to it.

4.2 Legal capacity

You may not access our website or order our goods or services if you are younger than 18 years old or do not have legal capacity to conclude legally binding contracts.

4.3 Deemed acceptance

By accepting this policy, you are deemed to have read, understood, accepted and agreed to be bound by all of its terms.

4.4 Your obligations

You may only send us your own personal information or the information of another data subject where you have their permission to do so.

5. Changes

We may change the terms of this policy at any time and will notify you of any changes by placing a notice in a prominent place on the website. If you do not agree with the changes, then you must stop using the website and our goods and services. If you continue to use the website or our goods or services following notification of a change to the terms, the changed terms will apply to you and you will be deemed to have accepted those updated terms.

6. Collection

6.1 Automatically through website

When you visit our website, we automatically collect your internet usage information (including your IP address, browser details and usage information) through your browser, which we may use to display our website correctly, track your activities on it, or for other necessary purposes.

6.2 On registration or submission

We may ask you to provide us with certain identifying information (including your first name, surname, and email address) when you register on or otherwise submit information through our website for the first time.

6.3 Through an order

When you order our goods or services, we ask you to provide us with certain information.

6.4 Voluntarily

We may ask you to provide us with certain optional information on a voluntary basis. This includes content or products that you decide to upload or download from our website or when you enter competitions, take advantage or promotions, respond to surveys, order certain additional goods or services, or otherwise use the optional features and functionality of our website.

6.5 Events

You may provide us with personal information when you attend an event that we host.

6.6 Recording calls

We may monitor and record any telephone calls that you make to us unless you specifically request us not to.

6.7 Cookies

We may place small text files called 'cookies' on your device when you visit our website. For more information on our use of cookies please refer to our cookie policy.

6.8 Consent to collection

When we need explicit consent, we will get your consent to collect your personal information in accordance with applicable law when you provide us with it. You have the right to withdraw your consent at any time. This will not affect the validity of the processing prior to the withdrawal of your consent.

6.9 Purpose for collection

We may use or process any goods information, services information or optional information that you provide to us for the purposes that you indicated when you agreed to provide it to us. Processing includes gathering your personal information, disclosing it and combining it with other personal information. We generally collect and process your personal information for various purposes, including:

- goods or services purposes – such as:
 - collecting orders or requests for and providing our goods or services,
 - managing our contracts with various data subjects,
 - managing customer credit in general,
 - processing customer requests or complaints,
 - keeping our data subject's records and information up to date,
 - understanding our data subject's needs better, and
 - providing support to our customers;
- marketing purposes – such as:
 - marketing to customers,
 - marketing to prospects, and
 - running promotional competitions for business;
- business purposes – such as:
 - internal audit,
 - accounting, and
 - business planning and due diligence and joint ventures, disposals of business or other proposed and actual transactions;
- legal purposes – such as:
 - handling claims and enforcing debts, and
 - complying with regulations or pursuing good governance.

7. Use

7.1 Processing

We may process your personal information to fulfil our obligations to you. We will only process your personal information:

- with your explicit consent;
- where it is necessary to carry out actions for the conclusion or performance of a contract with you;
- where it is necessary for us to comply with a legal obligation; or
- where we can show legitimate grounds for processing your personal information.

7.2 Messages

We may use your identifying information to send you administrative messages or updates about our website and products.

7.3 Promotional messages

We may also sometimes send you promotional messages, but you may choose to opt-out of them.

7.4 Targeted content

We may use your personal information to provide you with targeted content through our website in a completely automated process.

8. Disclosure

8.1 Sharing

We may share your personal information with third parties for the purposes of fulfilling our obligations to you, including with:

- other divisions or companies within the group of companies to which we belong so as to provide joint content and services like registration, for transactions and customer support, to help detect and prevent potentially illegal acts and violations of our policies, and to guide decisions about our products, services and communications (they will only use this information to send you marketing communications if you have requested their goods or services);
- an affiliate, in which case we will seek to require the affiliates to honour this privacy policy;
- our goods suppliers or service providers under contract who help supply certain goods or help with parts of our business operations, including fraud prevention, bill collection, marketing and technology services (our contracts dictate that these goods suppliers or service providers only use your information in connection with the goods they supply or services they perform for us and not for their own benefit);
- credit bureaus to report account information, as permitted by law; and
- other third parties who provide us with relevant services where appropriate.

8.2 Regulators

We may disclose your personal information as required by law or governmental audit.

8.3 Honour this policy

We will require anyone that we share your personal information with to honour this policy whenever possible in terms of applicable law.

8.4 Mandatory disclosure

We may disclose personal information, in accordance with applicable data protection laws, to third parties if required for legal reasons, such as if required by the relevant authorities or a court order.

8.5 Marketing purposes

We may disclose aggregate statistical information that we derive from your and other people's personal information to our advertisers or business partners. We will not sell personal information. No personal information will be disclosed to anyone except as provided in this policy.

8.6 Personnel

We may need to disclose personal information to our personnel to do their jobs but will not do so unnecessarily. All personnel are bound by appropriate confidentiality clauses.

8.7 Change of ownership

We may assign our rights to the personal information we process to our new owners if our ownership changes for any reason.

9. Storage

9.1 Access

You may ask us to provide you with a description of the personal information that we hold on you, correct or update it or delete it (provided that we do not need it to fulfil our obligations to you or applicable law does not require us to keep it). We will take all reasonable steps to verify your identity before doing so. We may charge a fee to recoup our costs associated with this request if there is a cost to us associated with it and provided that applicable law allows us to do so. Please contact us with your name and any other information needed to identify you correctly if you want access to information or want us to correct, update or delete it.

9.2 Accuracy

We will do our best to keep your personal information that we collect accurate, complete and up to date. Where appropriate, it is also your responsibility to ensure that the information you provide is accurate and complete.

9.3 Participation

We may ask you to update your personal information from time to time, and we will take steps to verify your identity to prevent unauthorised access when doing so.

9.4 Retention

We will only keep your personal information for as long as is necessary to fulfil our obligations to you unless you have given us permission to keep it longer or we are otherwise legally allowed to do so. We retain the copyright in our databases of personal information.

9.5 Notification of breach

Where we have reasonable grounds to believe that an unauthorised third party has accessed your personal information and if required by law, we will notify the relevant regulator and you of the breach. If the law requires us to notify you, we will provide you with sufficient information to allow you to take protective measures against the potential consequences of the breach.

9.6 Transfer

The personal information that we collect from you may be transferred to, stored and processed by our affiliates, properly vetted sub-processors and third-party service providers. We may transfer your personal information outside of the country where it was collected to a foreign country. By submitting your personal information, you agree to us transferring, storing or processing it in a foreign country with less stringent data protection laws than the country in which it was collected. We will take all steps reasonably necessary to ensure that your personal information is treated securely. All sub-processors and third-party service providers are under appropriate contractual obligations to ensure the safety and confidentiality of your personal information.

9.7 Security

We take the security of personal information very seriously. We endeavour to always do our best to comply with applicable data protection laws, when processing your personal information collected through our site, from other marketing efforts, as well as through our services. Our website is hosted on a secure server and uses security measures to prevent interference by intruders. We authorise access to personal information only for those personnel who require it to fulfil their job responsibilities. We implement disaster recovery procedures where appropriate. We require our partners with whom we share personal information, to implement appropriate security measures to protect your personal information.

10. Your rights

10.1 Request what information we hold on you

You may request access to your personal information to receive a copy of the personal information that we hold on you.

10.2 Updating or removing

You may choose to correct or update the personal information you have submitted to us by contacting us by phone or email.

10.3 Withdrawal of consent or objection to processing

You may withdraw your consent where we are relying on consent as a lawful justification to process. You may also object to our processing where we are relying on another lawful justification for processing. Please note that if you do so, we might not be able to provide services to you. We may need to request additional information from you to verify your identity for you to access these rights. This is to ensure that your personal information is not disclosed to an unauthorised person.

11. General

11.1 Limitation

We are not responsible for anyone else's privacy policies or practices. We are not responsible for any personal information you provide to third parties linked to our site.

11.2 Information Regulator

If you have any concerns regarding our processing of personal information you can contact us at informationofficer@kap.co.za or the information regulator at POPIAComplaints@inforegulator.org.za.

11.3 Enquiries

Please contact us by email at informationofficer@kap.co.za if you have any questions about this privacy policy or how we handle your personal information.