

Privacy Policy

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Abbreviations & Definitions

Term	Definition
PII	Personal Identifiable Information
Quarphix Proprietary Limited	("Quarphix", "us" or "we")
POPIA	Protection of Personal Information Act 4 of 2013
You	Any natural or legal person whose Personal Information we process
Personal information	Personal information as defined in POPIA, being information that may be used to identify you directly or indirectly.
Platform	Quarphix website and any of our digital communications media tools
User	Being 'Quarnedes', 'contractors', 'learners' and other third parties that use the Platform
User Terms	The terms and conditions applicable to this policy
Quarnedes	Quarphix Employees
Responsible Party	When we process the Personal Information of our customers (Users) to manage our relationship and offer our services.
Operator	When we act on the instructions of the User or the third party (as may be regulated in the User Terms that we have entered with you, such as on the instruction of a third party), who will be the responsible party in respect of the Personal Information that we have been instructed us to process to render our services.

1. Introduction

- 1.1. The right to privacy and this privacy "Policy" is important to us. Quarphix Proprietary Limited trading as "Quarphix" ("Quarphix", "us" or "we") is committed to taking steps to protect your privacy when we process your personal information. We, therefore, implement business practices that comply with applicable data protection laws, including the Protection of Personal Information Act 4 of 2013 ("POPIA"). This Policy applies to all processing of personal information by us.
- 1.2. Where we refer to "Personal Information" in this Policy, we mean personal information as defined in POPIA, being information that may be used to identify you directly or indirectly. Personal Information includes, for example, your name, surname, email address, identity number (or company registration number), contact details, photograph, professional information, and location.
- 1.3. In this Policy, we explain how we will use and protect your Personal Information in compliance with POPIA. "You" means any natural or legal person whose Personal Information we process. Additional terms will also apply to our relationship when you register to use the Quarphix website and any of our digital communications media tools (referred to as the "Platform" in this Policy) by creating an account (and becoming a "User") and accepting the terms and conditions applicable to each type of User (the "User Terms"). The terms of this Policy will prevail if there is any conflict between this Policy and the User Terms that apply to you. There may be elements of this Policy that do not apply to you depending on the type of User you are registered as, Users being 'Quarphix', 'contractors', 'learners' and other third parties that use the Platform. We may change the terms of this Policy and will always process Personal Information in accordance with the latest version.
- 1.4. In terms of POPIA, Quarphix processes information in two capacities: when we process Personal Information of our customers (Users) to manage our relationship and offer our services, we are the responsible party; and when we process Personal Information provided by Users for us to perform the services and for the agreed reporting to third parties, we are the operator. When we act as an operator, we act on the instructions of the User or the third party (as may be regulated in the User Terms that we have entered with you, such as on the instruction of a third party), who will be the responsible party in respect of the Personal Information that we have been instructed us to process to render our services. We also process certain Personal Information as a responsible party when someone visits our Platform (even if they are not a User). Parts of this Policy will apply to you if you are a User or before you become a User.

2. Children's Personal Information and Special Personal Information

- 2.1. The Platform is only intended for use by persons 18 years and older, and this Policy and the User Terms can only be accepted by such persons, and not on behalf of a minor by a parent/guardian.

- 2.2. In the event that we process children's and special Personal Information, we will only process Personal Information of children and special Personal Information in compliance with POPIA, and therefore, in the case of a child, with the consent of the child's parent/guardian (where the child is under the age of 18) or with the User's consent in the case of special personal information, or as allowed in terms of POPIA. Acceptance of the User Terms, or any other specific written consent provided by the User or a parent/guardian, will constitute consent by the User and/or parent/guardian for Quarphix to process the User's and/or child's Personal Information and Special Personal Information, and for such Personal Information to be processed by third parties in accordance with the User Terms.
- 2.3. If necessary, we may also process Personal Information of children and special Personal Information if provided for in law, for example, where it is necessary for the establishment, exercise or defence of a right or obligation in law or where it is necessary to comply with an obligation of international public law.

3. Collection of Personal Information

We collect Personal Information about you from the following sources:

- 3.1. directly from you when you provide it to us, such as when you create a User Profile on the Platform, through the provision of our services and interaction with you as a User;
- 3.2. from third parties when you interact with them through the Platform and where you have authorised the third party to share any Personal Information with us, such as Google where you use their service to create a User profile, or from other Users through your interaction with them on the Platform, such as from affiliated third parties, amongst others;
- 3.3. from third-party service providers and platforms that we use to provide our services, where you have authorised us to access relevant information stored by or created as a result of those service providers, such as payment gateways and the various partners that we are affiliated with in providing the services;
- 3.4. from your web browser when you visit our Platform, subject to the settings of your web browser;
- 3.5. from public sources where you have made your Personal Information public, such as on social media or online platforms;
- 3.6. from your use of our services generally or use of any features or resources available on or through our Platform.

4. Categories of Personal Information that we Process

- 4.1. **General personal details:** for individuals, we collect, amongst others, name and surname, date of birth, identity number, age, nationality, language preferences, identity or passport number, education details, and for juristic persons, we collect, amongst others, registered name, registration number, vat details, language preferences.

- 4.2. Contact details: User contact number, email address and general location information.
- 4.3. User information: Personal Information included in correspondence, transaction documents, use of the services or other materials that we process in the course of providing the services.
- 4.4. Communication information: Personal Information included in correspondence from Users.
- 4.5. Consent records: records of any consents you have given us in respect of using your Personal Information and any related information, such as the specific details of the consent. We will also record any withdrawals or refusals of consent. Due to the relationships between some Users, some Users may also hold records of consent where the other User has consented to the processing of their Personal Information by that User.
- 4.6. Payment details: if applicable, payment method used, the information provided by payment gateway service providers, payment amount, date and reason for payment and related information.
- 4.7. Data relating to our Platform: such as the type of device used to access the Platform, operating system and browser, browser settings, IP address, dates and times of connecting to and using the Platform, associated technologies, and other technical communications information, subject to your browser/device settings.
- 4.8. Content and advertising data: records of your interactions with our online advertising on the various websites which we advertise and with marketing content displayed on our Platform and records relating to the content displayed on web pages displayed to you.
- 4.9. Account details: such as your username, password, usage data, and aggregate statistical information.
- 4.10. Views and opinions: any views and opinions that you choose to share with us, or publicly post about us on social media platforms or elsewhere.
- 4.11. Academic records and User interactions: information on learner grades and performances from the various courses that will be offered through the Platform, and interactions between various Users through the Platform.

5. Purposes of Processing Personal Information

- 5.1. We only process adequate and relevant Personal Information for the following purposes and legal bases:
 - 5.1.1. to perform in terms of our agreement with you to provide our services;
 - 5.1.2. operate and manage your account or relationship with us, which may include correspondence with you;
 - 5.1.3. to monitor and analyse our business to ensure that it is operating properly, for financial management and business development purposes;
 - 5.1.4. contact you by email, phone, SMS, or other means to inform you about our services, however, you can opt-out of such communications;
 - 5.1.5. form a view of you as an individual and to identify, develop or improve our services;
 - 5.1.6. carry out market research and surveys, business and statistical analysis and necessary audits;
 - 5.1.7. fraud prevention;

- 5.1.8. perform other administrative and operational tasks like testing our processes and systems and ensuring that our security measures are appropriate and adequate; and
- 5.1.9. comply with our regulatory, legal or other obligations.
- 5.2. In addition to the above purposes, we may use Personal Information for other purposes if the law allows for it, if you consent to it, or if it is in the public interest to do so. We also process statistical demographic information for our internal and contractual reporting obligations, however, this information does not include Personal Information and cannot be traced back to a User.
- 5.3. All purposes for the processing of your Personal Information will be legal in terms of POPIA.

6. Direct Marketing and Communications

- 6.1. We may process your Personal Information to contact you to provide you with information regarding updates about services and new features and products, or the services of our partner organisations or other Users, that may be of interest to you. Where we provide services to you (where you are a customer of ours and have agreed to the User Terms), we may send information to you regarding our services using the contact details that you have provided to us. We will only send you direct marketing communications in compliance with POPIA.
- 6.2. You may unsubscribe from any direct marketing communications at any time by clicking on the unsubscribe link that we include in every direct marketing communication or by contacting us and requesting us to do so. After you unsubscribe, we will not send you any direct marketing communications, but we will continue to contact you when necessary in connection with providing you with the services or in connection with our business.
- 6.3. We will not sell your Personal Information or provide it to third parties for their marketing purposes.
- 6.4. If as part of the service, we process Personal Information on behalf of our client relating to direct marketing for the client's purposes, the client as the responsible party has the obligation to comply with all direct marketing requirements in terms of POPIA.

7. Disclosure of Personal Information to Third Parties

- 7.1. We will keep your Personal Information confidential and only share it with others in terms of this Policy, or if you consent to it, or if the law requires us to share it.
- 7.2. We may disclose your Personal Information to:
 - 7.2.1. our business partners or third party processors in order to provide you with the Platform and/or our services, this includes data storage service providers, payment gateways (where applicable), SETAs, third party software/platform providers (such as Google, Apple, etc.) in accordance with written agreements with these parties;
 - 7.2.2. other Users of the Platform in terms of the User Terms that we enter into with you;

- 7.2.3. legal and regulatory authorities, upon their request, or for the purposes of reporting any breach of POPIA;
 - 7.2.4. accountants, auditors, lawyers and other external professional advisors in terms of written agreements with them;
 - 7.2.5. any relevant party to the extent necessary for the establishment, exercise or defence of legal rights, criminal offences, threats to public security, etc.;
 - 7.2.6. any relevant third party if we sell or transfer all or any portion of our business or assets; and
 - 7.2.7. any relevant third-party provider where our Platform uses third party advertising, plugins or content.
- 7.3. If we engage third party operators to process Personal Information, the operators will only be appointed in terms of a written agreement which will require the operators to only process Personal Information on our written instructions, use appropriate measures to ensure the confidentiality and security of Personal Information and comply with any other requirements set out in the agreement and required by POPIA.

8. Cookies

- 8.1. In this Section, we have done our best to summarize the rights that you have under data protection law according to POPIA Act No 4 of 2013 and other best practice guidelines mentioned in section 6.6 of this policy.
- 8.2. These are complex, and not all of the details have been included herein. In light of this, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.
- 8.3. Your principal rights under data protection law are:
- 8.3.1. the right to access;
 - 8.3.2. the right to rectification;
 - 8.3.3. the right to erasure;
 - 8.3.4. the right to restrict processing;
 - 8.3.5. the right to object to processing;
 - 8.3.6. the right to data portability;
 - 8.3.7. the right to complain to a supervisory authority; and
 - 8.3.8. the right to withdraw consent.
- 8.4. You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information.
- 8.5. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data.
- 8.6. Providing the rights and freedoms of others are not affected, we will supply to you with a copy of your personal data.
- 8.7. Cookies are small text files that are stored on your device when you visit a website. Generally, they are used to make websites work, track your movements on the website,

recognise you when you return to the website, personalise the website to your preferences and for other similar activities.

- 8.8. By using our Platform, you agree to us sending cookies to your device and using the information that we obtain from that cookie. Any Personal Information that we collect and use through cookies is used in accordance with this Policy. The information that we receive from cookies may include, amongst others, browser type, language preference, referring site, and the date and time of each visitor request, location, IP address, cookie information and Google Analytics information. This is statistical data about browsing actions and patterns. We may also obtain information about your general internet usage through a cookie file which is stored on the hard drive of your computer. Cookies enable us to improve our Platform and services, estimate our audience size and usage patterns, store information about your preferences and recognise when you return to our Platform.
- 8.9. In some instances, we may collect and store information about your location through cookies (other than when you share your location with us). We convert your IP address into a rough geolocation, and we may use location information to improve and personalise our Platform and services for you.
- 8.10. Most internet browsers are set to automatically accept cookies. Depending on your browser settings, your browser can automatically accept cookies, refuse/disable them or warn you before accepting cookies. Disabling cookies may limit the functionality of our Platform and the features that are available to you, and impact your experience.
- 8.11. Our Platform relies on cookies for certain website functionality. If you choose to disable cookies, some of the features of our Platform may not work properly.
- 8.12. We use cookies for distinguishing between visitors and identifying them when they use our Platform, to determine their location, for session management and monitoring website usage, advertising and communicating with you, and to analyse and compile anonymous and aggregate statistics, etc.
- 8.13. Please note that third parties may also use cookies, but we do not have access to, or control over them, and therefore cannot take responsibility for them.

9. International Transfers of Personal Information

- 9.1. Due to the nature of our services and the resources that Quarphix makes use of in providing the services, we may need to transfer Personal Information to and from different countries for our business purposes.
- 9.2. We may transfer Personal Information to recipients in other countries. We will only transfer Personal Information to third parties in countries with adequate data protection laws or do so in terms of a written agreement with the recipient which imposes data protection requirements on that party as required by POPIA.
- 9.3. Please note that when you transfer any Personal Information directly to a third party in another country (i.e. we do not send your Personal Information to the third party), Quarphix is not responsible for that transfer of Personal Information (and such transfer is not based

on or protected by this Policy). Any Personal Information that we receive from a third party country will nevertheless be processed in terms of this Policy.

10. Security of your Personal Information

- 10.1. We have implemented appropriate technical and organisational security measures designed to protect Personal Information against accidental or unlawful destruction, loss, alteration, disclosure, access and other unlawful or unauthorised forms of processing. These measures are in accordance with POPIA.
- 10.2. The internet is an open and often vulnerable system and the transfer of information via the internet is not completely secure. Although we will implement all reasonable measures to protect Personal Information, we cannot guarantee the security of your Personal Information transferred to us using the internet. Therefore, you acknowledge and agree that any transfer of Personal Information via the internet is at your own risk and you are responsible for ensuring that any Personal Information that you send is sent securely.

11. Your Legal Rights

- 11.1. You have certain rights in relation to your Personal Information. As available and except as limited under POPIA, you have the following rights in respect of your Personal Information:
- 11.1.1. right of access: the right to be informed of and request access to the Personal Information that we process about you;
 - 11.1.2. right to rectification: you may request that your Personal Information be amended or updated where it is inaccurate or incomplete;
 - 11.1.3. right to erasure: the right to request that we delete your Personal Information, subject to applicable limitations and exceptions;
 - 11.1.4. right to restrict processing: you may request that we temporarily or permanently stop processing your Personal Information;
 - 11.1.5. right to object:
 - 11.1.5.1. you may object to us processing your Personal Information; and
 - 11.1.5.2. to your Personal Information being processed for direct marketing purposes;
 - 11.1.6. right not to be subject to automated decision-making: where a decision that has a legal or other significant effect is based solely on automated decision making, including profiling, you may request that your Personal Information not be processed in that manner.
- 11.2. Where you have provided consent for us to process your Personal Information, you may also withdraw your consent where our processing is based on your consent. However, we may continue to process your Personal Information if another legal justification exists for the processing.
- 11.3. Note that where we process Personal Information as an operator/processor for our client, these rights will be applied against the client. We will fully co-operate with our client on any request relating to these rights.

12. Links on our Platform and Third Party Services

12.1. Our Platform may include links to third-party websites, and we make use of third-party services and platforms to provide the services, but these websites and services/platforms do not fall under our supervision. We cannot accept any responsibility for your privacy or the content of these third-party sites, but we display these links in order to make it easier for you to find information about specific subjects and make use of these third-party services and platforms to provide our services. Your use of and reliance on these links is at your own risk.

13. Right to Object

13.1. You may, on reasonable grounds, object to us using your Personal Information for certain purposes. If you object, we will stop using your Personal Information, except if POPIA allows its use. To exercise this right or to discuss it with us, please contact us at info@quarphix.co.za

14. Quality and Access to your Information

- 14.1. Quality: we want to ensure that your Personal Information is accurate and up to date. You may ask us to correct or remove any Personal Information that you think is inaccurate, by sending us an email at info@quarphix.co.za
- 14.2. Access: you have the right to request that we provide you with Personal Information that we hold about you. You must contact us directly to do so or send an email to info@quarphix.co.za This request may be subject to an access to information request in terms of POPIA and may require you to verify your identity, identify the rights you are wishing to exercise and pay a fee. If our client is the responsible party for the information, any request will need to be addressed to our client.
- 14.3. The right to access your Personal Information may further be limited in terms of POPIA.

15. Retention of Information

- 15.1. We take every reasonable step to ensure that your Personal Information is only processed for the minimum period necessary for the purposes set out in this Policy.
- 15.2. We retain Personal Information in accordance with the required retention periods in POPIA or as required by other laws or regulations, or for legitimate business purposes. We will only retain your Personal Information for the purposes explicitly set out in this Policy or on the instructions of our client where we process Personal Information as an operator. We may keep Personal Information indefinitely in a de-identified format for statistical purposes, which

- may include for example statistics of how you use the Platform and services.
- 15.3. This Policy also applies when we retain your Personal Information. We may retain your Personal Information for the duration of any period necessary to establish, exercise or defend any legal rights.

16. Security Breach

- 16.1. We will report any breach of Personal Information to the Information Regulator in terms of POPIA and to the persons whose Personal Information is involved in the breach. If your Personal Information as a User is affected by a security breach, we will inform our client about the breach where we process your Personal Information as an operator. If you want to report any concerns about our privacy practices or if you suspect any breach regarding your Personal Information, kindly notify us by sending an email to info@quarphix.co.za

17. Lodging a Complaint

- 17.1. If you want to raise any objection or have any queries about our privacy practices, you can contact our data protection officer at info@quarphix.co.za
- 17.2. You also have the right to formally lodge a complaint to the Information Regulator in terms of POPIA with the following contact details:
- 17.2.1. Website: <https://www.justice.gov.za/infoereg/>
 - 17.2.2. Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.
 - 17.2.3. Postal address: P.O Box 31533, Braamfontein, Johannesburg, 2017
 - 17.2.4. Email (general): infoereg@justice.gov.za
 - 17.2.5. Email (complaints): complaints.IR@justice.gov.za

18. Changes to this Policy

- 18.1. This Privacy Policy may be updated from time to time.
- 18.2. Modifications will be denoted by the “updated” notice at the top of this page.
- 18.3. Your submission of personally identifiable information to the website following the posting of any changes to this Privacy Policy constitutes acceptance of those changes.
- 18.4. Quarphix encourages you to periodically review this Privacy Policy to be informed of its policies respecting your personally identifiable information.
- 18.5. By continuing to access the Website after notice of modifications has been published, you signify your agreement to be bound by the updated terms.

19. Compliance with this Policy

19.1. Quarphix regularly reviews its compliance with this Privacy Policy.

19.2. If you have any questions regarding this Privacy Policy or believe that Quarphix has not adhered to any of its terms, please contact Quarphix at info@quarphix.co.za.