

PRIVACY POLICY

COMPILED IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT, NO. 4 OF
2013 FOR

CRUZ LOG (PTY) LTD

with Registration Number: 2020/862643/07

T/A

CRUZLOG

(Hereinafter referred to as "**this Policy**")

1. INTERPRETATION

1.1. In this Policy, unless the context requires otherwise:-

1.1.1. the singular shall import and include the plural and vice versa;

1.1.2. words indicating one gender shall import and include the other genders;

1.1.3. words indicating natural persons shall import and include artificial persons;

1.1.4. the headnotes to this Policy are used for the sake of convenience only and shall not govern the interpretation of the clauses to which they relate.

1.2. Unless such meaning is inconsistent with the context, the following terms shall, throughout this Policy, have the meanings respectively ascribed to them, namely:-

1.2.1. "**Act**" means the Protection of Personal Information Act No. 4 of 2013, including the regulations promulgated therein, as amended from time to time;

1.2.2. "**Affiliate**" means with respect to a company, any person, partnership, joint venture, corporation or other form of enterprise, domestic or foreign, including but not limited to subsidiaries and associates that directly or indirectly, control, are controlled by, or are under common control with that company. For purposes of this Manual, the term "subsidiaries" shall have the meaning ascribed thereto in the Companies Act 71 of 2008, as amended;

1.2.3. "**Application**" means software designed by the Company to run on a mobile device, such as a mobile phone or tablet, and for these purposes, refers to the software in which the Services are provided to the user thereof, and as downloadable from the Apple Store or Play Store, which may be updated or amended from time to time;

1.2.4. "**Company**" means Cruz Log (Pty) Ltd with Registration Number: 2020/862643/07 trading as CruzLog, a private company duly incorporated in accordance with the laws of the Republic of South Africa,

and any of its subsidiaries, sister, related or associated companies; together with its successors-in-title and all subsidiaries, affiliates and assigns;

- 1.2.5. "**Consent**" means any voluntary, specific and informed expression of will in terms of which permission is given to the processing of Personal Information, as ascribed to it in the Act;
- 1.2.6. "**Constitution**" means the Constitution of the Republic of South Africa, 1996;
- 1.2.7. "**Data Subject**" means any natural or juristic person who interacts with the Company in any manner and/or to whom the Personal Information in question relates, and shall further bear the meaning ascribed to it in the Act, and shall include the plural, where appropriate;
- 1.2.8. "**Information Officer**" shall bear the meaning ascribed to it in the Act, and in terms of the Act, means the head of the Company, and is the individual responsible for ensuring the Company's compliance with the Act;
- 1.2.9. "**Information Regulator**" means the Information Regulator established in terms of section 39 of the Act;
- 1.2.10. "**Operator**" shall bear the meaning ascribed to it in the Act, which means a person who processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that party;
- 1.2.11. "**Personal Information**" shall bear the meaning ascribed to it in the Act;
- 1.2.12. "**Policy**" means this privacy policy for the Company, compiled in terms of the Act;
- 1.2.13. "**Processing**" shall bear the meaning ascribed to it in the Act;
- 1.2.14. "**Responsible Party**" shall bear the meaning ascribed to it in the Act, and shall in this Policy, mean the Company;

- 1.2.15. "**Services**" means the provision of the Website/Application by the Company and the functionality of logging and reviewing cruise services and receiving cruise related information services and/or products available to users thereof, including a value-added service where cruise and/or cruise related services will be advertised to or accessible through third-party links by the user and as additionally defined herein throughout;
- 1.2.16. "**Special Personal Information**" means the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information or information about your criminal offences or convictions;
- 1.2.17. "**Unique Identifier**" means any identifier that is assigned to a Data Subject and is used by a Responsible Party for the purposes of the operations of that Responsible Party and that uniquely identifies that Data Subject in relation to that Responsible Party, as ascribed to it in the Act;
- 1.2.18. "**Website**" means the website at www.cruzlog.co.za, as updated from time to time.
- 1.3. Certain terms or phrases applicable to this Policy have been defined throughout.
- 1.4. If any provision in a definition is a substantive provision conferring any right or imposing any obligation on any party, then notwithstanding that it is only in the interpretation clause, effect shall be given to it as if it were a substantive provision in this Policy.
- 1.5. The eiusdem generis rule shall not apply and accordingly, whenever a provision is followed by the word/s "including" or "includes" or "in particular" or "inter alia" (but to mention a few) and specific examples, such examples shall not be construed so as to limit the ambit of the provision concerned.
- 1.6. Any reference to legislation is to that legislation as at the date of issuance of this Policy, as amended or replaced from time to time, and includes all regulations and schedules to such legislation.

- 1.7. This Policy, and any dispute of whatsoever relating to or arising out of this Policy, whether directly or indirectly is governed by South African law, without giving effect to any principle of conflict of laws.
- 1.8. The Company's failure to exercise or enforce any right or provision of this Policy shall not constitute a waiver of such a right or provision.
- 1.9. No provision herein will be construed against or interpreted to the disadvantage of a party by reason of such party having or being deemed to have structured, drafted or introduced such provision.
- 1.10. In the event that any of the provisions of this Policy are found to be invalid, unlawful or unenforceable, such terms shall be severable from the remaining terms, which shall continue to be valid and enforceable.
- 1.11. Insofar as there is a conflict in the interpretation of or application of this Policy and the Act, the Act shall prevail.
- 1.12. This Policy does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the Act.

2. INTRODUCTION

- 2.1. The right to privacy is a right as conferred by the Constitution and in terms of the provisions of the Act, the Promotion of Access to Information Act No 2 of 2002, Consumer Protection Act No 68 of 2008, Electronic Communications and Transactions Act No 25 of 2002 and other relevant legislation that have given effect to this right. This Policy is compiled in consideration of the relevant legislation that give effect to the right to privacy.
- 2.2. The Company processes, including, collects, uses and discloses Personal Information in order to perform its business functions and activities, including the Personal Information of users of its Services or Website/Application, suppliers, and employees.
- 2.3. The Company is firmly committed to protecting the privacy and confidentiality of Personal Information and ensuring that Personal Information is used appropriately, transparently, securely and in accordance with the applicable laws.

This includes maintaining various physical, electronic and procedural safeguards to protect the Personal Information in its possession.

- 2.4. This Policy aims to provide an understanding of what Personal Information is collected by the Company, the manner in and purpose for which it is processed, and to ensure compliance with the Act (and other relevant legislation).
- 2.5. The Company has appointed an Information Officer, who is responsible for overseeing questions in relation to the Privacy Policy. Please feel free to contact the Information Officer at info@cruzlog.com if you have any queries or concerns relating to this Privacy Policy or your rights under data protection legislation that is applicable to you. Requests in writing can also be addressed to the physical/postal address of the Company as set out in clause 3.2 below.
- 2.6. By engaging with the Company, you accept and consent to the terms of this Policy. If there is concern about any parts of this Policy insofar as it relates to the Data Subject's Personal Information, the Data Subject must not engage with the Company, or use its Services and/or Website/Application.
- 2.7. Any Personal Information that is processed in terms whereof another jurisdiction's legislation, regulation, law, rule or otherwise will be applicable, must be processed in accordance with that jurisdiction's legislation, regulation, law, rule or otherwise.

3. NATURE OF BUSINESS AND CONTACT DETAILS

3.1. Nature of Business:

CruzLog has established a mobile application aimed at the cruising industry. The mobile application provides passengers with a simplified and user-friendly platform to review the various elements of their cruising experience, and to create and maintain a cruise log / diary that enables them to record events or notes about a particular element of their cruise. There will also be a value-added service where cruise and/or cruise related services will be advertised to or accessible through third-party links by the user.

The metadata generated from the reviews will be supplied to various role players within the cruising industry in the aim of providing feedback on the service or on other elements of any particular cruise. This information can be utilised by cruise companies to improve their services or other elements of the particular cruise, and can be utilised by agents and customers to compare cruises.

The mobile application's functionality will broaden over time in line with market and consumer feedback.

3.2. Contact Details:

Name of the Body:	Cruz Log (Pty) Ltd t/a CruzLog
Head of the Body:	Andre van der Rheede
Information Officer:	Andre van der Rheede
Deputy Information Officer(s)	N/A
Physical Address:	857 Greenstone Ridge Emerald Boulevard Greenstone Hill Johannesburg Gauteng 1609
Postal Address:	Same as above
Telephone Number:	
Facsimile Number:	
Email Address:	info@cruzlog.co.za

3.3. The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers as allowed in terms of Section 56 of the Act. This is in order to render the Company as effective as reasonably possible and to ensure fulfilment of its obligations and responsibilities as prescribed.

4. WHAT AND WHO DOES THIS POLICY APPLY TO?

4.1. This Policy applies to any processing by the Company or any processing on its behalf, of Personal Information relating to a Data Subject, this includes any person or entity who telephonically contacts the Company or accesses and/or uses the Company's Website, Application or its Services or a provider of products and/or services to the Company, clients, suppliers, partners, commercial partners, employees and other Data Subjects that engage with the Company.

4.2. This Policy does not apply to the processing of Personal Information by other third parties relating to or by means of other parties' websites, products or services, such as websites linked to, from or advertised on the Company's Website, Application or through its Services, or sites which link to or advertise the Company, including its Website, Application or Services.

5. GENERAL GUIDING PRINCIPLES

The Company, when Processing Personal Information, will always be subject to, and act in accordance with, the guiding principles prescribed to it in terms of the Act:-

5.1. Accountability:-

5.1.1. The Company will ensure that the provisions of the Act, and the guiding principles outlined therein, as well as in this Policy, are complied with through the implementation of stringent procedures, in order for the Company, its employees and persons acting on behalf of the Company to remain accountable in terms of the provisions of the Act.

5.1.2. The Company will take the appropriate sanctions, if necessary, against those individuals and/or entities who, through their intentional or negligent actions and/or omissions, fail to comply with the principles and responsibilities outlined in this Policy and the Act.

5.2. Processing Limitation:-

5.2.1. The Company will ensure that Personal Information under its control is processed:-

5.2.1.1. in a fair, lawful and non-excessive manner;

5.2.1.2. only with the informed Consent of the Data Subject;

5.2.1.3. only for a specifically defined purpose.

5.2.2. The Company is required to justify why it requires the processing and capturing of Personal Information, and must place limits on what information it processes. The Company is required to ensure that processing is done lawfully, and personal information may only be processed if it is sufficient, relevant and not excessive given the purpose for which it is collected/processed.

5.3. **Purpose Specification:-**

Personal information can only be collected for a specific, defined and legal purpose in relation to a function or activity of the Company. Personal Information cannot be kept longer than necessary.

5.4. **Further Processing Limitation:-**

5.4.1. Personal Information will not be processed for a secondary purpose, unless that processing is compatible with the original purpose.

5.4.2. Where the Company seeks to Process Personal Information it holds for a secondary purpose, and such secondary purpose is not compatible with the original purpose, the Company will first obtain the Consent of the Data Subject to such further processing.

5.4.3. The above clause 5.4.2 will not limit or derogate the Company from making use of Personal Information in the enforcement of the rights granted to it in law.

5.5. **Information Quality:-**

5.5.1. The Company will take reasonable steps to ensure that all Personal Information collected is complete, accurate and not misleading.

5.5.2. Where Personal Information is collected or received from third parties, the Company will take reasonable steps to confirm that the information is correct by verifying the accuracy of the information directly with the Data Subject, by way of independent sources or by way of other reasonable and lawful means.

5.6. **Openness:-**

5.6.1. The Company must notify the Data Subject of the processing of their Personal Information. The Data Subject must be able to view the Company's name and address, be informed of the reason why it is collecting this information and what Personal Information is being collected. The Company does so through this Policy and/or through its engagement with a Data Subject.

5.6.2. The Company will ensure that it establishes and maintains the appropriate facility for Data Subjects to:-

5.6.2.1. enquire whether the Company holds Personal Information related to him/her/it;

5.6.2.2. request access to related Personal Information;

5.6.2.3. request the Company to update and/or correct related Personal Information; or

5.6.2.4. make a complaint concerning the processing of Personal Information.

5.7. Security Safeguards:-

5.7.1. The Company will implement appropriate and reasonable organisational and technical security measures.

5.7.2. The Company will manage the security of its information technology (“IT”) systems to ensure that Personal Information is adequately protected through the implementation of security controls in order to minimise the risk of loss, unauthorised access, disclosure, interference, modification and/or destruction.

5.7.3. Security measures will be applied in a context-sensitive manner, wherein the greater the sensitivity of the information, the greater the security measures implemented in response thereto.

5.7.4. The Company will continuously review its security controls which will include regular testing of protocols and measures put in place to combat potential cyber-attacks on the Company’s IT infrastructure.

5.7.5. The Company will ensure that all paper and electronic records containing Personal Information are securely stored and made accessible only to authorised individuals.

5.7.6. The Company’s Operators and third-party service providers will be required to abide by this Policy and the provisions of the Act.

5.8. **Data Subject Participation:-**

- 5.8.1. The Company will ensure that the appropriate facility is provided to Data Subjects who seek to enforce their rights as contemplated in this Policy or the Act, including the right to ask for any data that the Company holds about them and to request that the Company updates or destroys Personal Information that is incorrect, irrelevant, superfluous, misleading or unlawful; and to request the Company to destroy a record of personal information that is unnecessary for the business to keep.
- 5.8.2. The Company will ensure that its electronic newsletters or related marketing correspondence include a link or option to unsubscribe from receiving same and/or which enables a Data Subject to request that the Company no longer processes their Personal Information.
- 5.8.3. The Company has a "Manual" and "Request Form" in terms of the Promotion of Access to Information Act, No. 2 of 2000 available on its website, which is to be used to guide the Data Subject on the procedure to be followed where a request for Personal Information is to be made.

6. **PERSONAL INFORMATION COLLECTED BY THE COMPANY**

The type and extent of Personal Information collected by the Company depends on the context and manner of the Data Subject's interaction with the Company.

6.1. **Personal Information**

- 6.1.1. The Personal Information collected by the Company can include the following:
 - 6.1.1.1. name and identification documents or details, which in the case of a natural person includes their full names, identity document, photograph, date of birth, title, gender and race; and in the case of a juristic person includes the name of the entity, registration number and/or incorporation documents; and in the case of both can include a Unique Identifiers, including codes or numbers used by the Company to identify them, such as users, customers, partners, commercial

partners, suppliers or other third parties usernames, reference numbers, or employee codes;

- 6.1.1.2. contact details, which include telephone number, email address, physical address, postal address, billing address, country of residence, nationality, country of birth, emergency contact details and other similar contact data;
- 6.1.1.3. credentials, which includes email addresses, passwords, password hints and similar security information used for authentication and account access;
- 6.1.1.4. booking records, which includes details of past and future cruise bookings (including booking identification, cruise type, date of cruise, ship, passengers on the booking, destination, duration, price paid, cabin information, the date of booking or any other relevant booking information provided by the user);
- 6.1.1.5. payment / transaction data, which includes credit card numbers, the security codes associated with a Data Subject's payment instrument, banking details and/or any other credit card related information;
- 6.1.1.6. financial information, which includes insurance information, financial statements, tax clearance certificates and VAT registration numbers;
- 6.1.1.7. technical information, which includes internet protocol (IP) address, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices used to access the Website or the Application, or to use the Company's Services or engage with the Company;
- 6.1.1.8. marketing and communications information and preferences, which includes the Data Subject's preferences in respect of receiving marketing information from the Company and its

third parties, and the Data Subject's communication preferences.

6.2. **Special Personal Information**

6.2.1. In certain instances, Special Personal Information may be collected about a Data Subject. Special Personal Information requires a higher-level protection and compliance in terms of the Act.

6.2.2. The Company inevitably processes Special Personal Information but only with the Consent of the Data Subject, when it is necessary for establishing, exercising or defending a right or obligation in law, for the fulfilment of the contract, and/or where compliance with the specific provisions relating to processing of specific categories of Special Personal Information as set out in the Act has been met.

6.2.3. On rare occasions, there may be other reasons for processing a Data Subject's Special Personal Information, such as where the information has been deliberately made public by the Data Subject.

6.2.4. Examples of situations in which the Company may process Special Personal Information include the following:

6.2.4.1. racial and ethnic, health or religious belief information may be voluntarily shared, logged or loaded to the Application by the user of the Application, for example, when providing feedback or a review of the cruise;

6.2.4.2. information pertaining to your political persuasion as part of the know your client (KYC) processes and customer due diligence (CDD) checks and only if strictly necessary.

6.3. **Personal Information of Children**

6.3.1. The Company may (but does not in the ordinary course of business) process the Personal Information of children but only with the consent of a legally competent person (as defined in the Act), or unless permitted by law.

6.3.2. The Company does not knowingly collect Personal Information from children through its Website/Application and its Website/Application seeks to promote its Services for sale to adults.

6.3.3. If a parent, guardian or any legally competent person becomes aware that his or her child (or any other person) has provided the Company with Personal Information of the child without their consent, he or she must contact the Company using the contact details of the Information Officer.

6.4. **Compulsory Personal Information and consequences of not sharing it with the Company**

6.4.1. The Company will only collect Personal Information that is required, however, in some instances, while it may not be compulsory to provide certain Personal Information to the Company, it may restrict the Company's ability to accommodate a Data Subject's needs when providing the Company's Services, to perform in terms of its contract with the Data Subject, or otherwise. In other instances, it is compulsory to provide Personal Information including, in compliance with the law. This will depend on the nature of a Data Subject's engagement or relationship with the Company, and will be highlighted in each instance.

6.4.2. If Data Subjects do not agree to share compulsory Personal Information with the Company, then they will not be able to engage and/or transact with the Company, supply their products or services to the Company, or make use of the Company's Services.

6.5. **Updating Personal Information**

6.5.1. The Company endeavours to maintain the accuracy and completeness of Personal Information, and to ensure all of the Personal Information is up to date.

6.5.2. The Company must be informed when there is a change to a Data Subject's Personal Information or if the Company has incomplete, inaccurate, misleading or out of date Personal Information as soon as reasonably possible to enable the Company to update the Personal Information. The Company will take all reasonable steps to confirm the

identity of the Data Subject or the authority of the person requesting to make changes to the Personal Information.

7. WAYS IN WHICH THE COMPANY COLLECTS PERSONAL INFORMATION

7.1. Directly from the Data Subject

7.1.1. The Company only collects information in compliance with the Act. It usually collects Personal Information directly from the Data Subject during the course of his/her/its relationship with the Company, unless it is unreasonable, impractical or lawfully permissible to do so. This includes:

7.1.1.1. From dealings with the Company, which includes in person, by telephone, letter, email, Whatsapp, text message;

7.1.1.2. When downloading and signing up for the Application;

7.1.1.3. When using the Company's Services;

7.1.1.4. Upon visiting the Company's Website;

7.1.1.5. When connecting with the Company via its social media pages;

7.1.1.6. When making enquiries, orders, transacting for products or services with the Company;

7.1.1.7. When entering competitions or registering for promotions;

7.1.1.8. When subscribing to receive marketing from the Company (e.g. e-newsletters);

7.1.1.9. When concluding an agreement with the Company;

7.1.1.10. When necessary for the fulfilment of the Company's statutory or regulatory obligations.

7.1.2. Unless the Data Subject chooses to do so under a pseudonym or anonymously, the Company may also collect Personal Information (other than sensitive information) when surveys are completed or feedback is given.

7.2. **Collection from a Third Party**

7.2.1. In some circumstances, the Company may collect Personal Information about a Data Subject from a third party, including in instances where a user of the Company's Services, Website or Application submits information about that Data Subject (in this case, the Personal Information of others is not specifically requested by the Company, but may be shared by the user voluntarily). Where this occurs, the Company will understand this to mean that the person or entity has obtained the consent of the Data Subject, to collect, use, and share their Personal Information with the Company in line with terms of this Policy.

7.2.2. The Company may receive Personal Information from partners, agents, commercial partners and various third parties, including banking institutions and other financial services providers, recruitment agencies, suppliers of background checks services and publicly available sources.

7.2.3. A Data Subject must immediately inform the Company if he/she/it becomes aware that their Personal Information has been provided to the Company by another person or entity without their consent. Similarly, any party that has provided Personal Information of another must immediately inform the Company if he/she/it did not obtain consent or if previously provided consent has been subsequently withdrawn.

7.3. **Cookies**

7.3.1. The Company uses cookies to enhance site navigation, analyse site usage, and assist in the Company's marketing efforts. This includes targeted tracking, which aims to improve the relevance of the advertisements viewed by a visitor/user of the Company's Website. For example, after the visitor/use accesses the Company's Website, he/she/it may be shown advertisements relating to the Company's services or products on third parties' websites.

- 7.3.2. The use of cookies may be disabled by configuring the browser to refuse all cookies or to inform the user each time that a request to place a cookie is being made. However, please note that some parts of the Company's Website will not function properly if cookies are refused and a user/visitor may not be able to access all of the features, functionality and/or services of the Website.
- 7.3.3. For more information on the Company's use of cookies, please read its Cookie Policy, which can be found in the footer of its Website.

8. THE PROCESSING OF PERSONAL INFORMATION

- 8.1. The Company will only use Personal Information when the law allows it to do so.
- 8.2. The Company hereby undertakes to only process Personal Information where:-
 - 8.2.1. consent has been provided by the Data Subject to which the Personal Information relates, which consent is obtained by virtue of the contract with the Company, through agreement to the terms of this Policy and in other instances whereby consent will be specifically provided or requested;
 - 8.2.2. the Processing is necessary to provide the Company's Services to the Data Subject or to perform or conclude the contract which it has entered in to with the Data Subject (including providing access and use of the Website/Application);
 - 8.2.3. the Processing is undertaken in the furtherance of the Company's business objectives;
 - 8.2.4. the Processing is necessary for the compliance with any obligations imposed onto the Company by any law of the Republic of South Africa and/or international law;
 - 8.2.5. the Processing is necessary for the legitimate and lawful interests of the Company and/or those of any third-party recipients that assist in furthering the business objectives of the Company;

- 8.2.6. the Processing of Personal Information is conducted in accordance with achieving a specific purpose, as required in terms of the Act.
- 8.3. The Company may Process a Data Subject's Personal Information for several purposes, all of which are context specific depending on the type of engagement with the Company and a number have been mentioned throughout the Policy but also include, dependant on context:-
- 8.3.1. customer care and support which includes, providing information regarding requests about the Company's Services, Website or Application; handling requests, complaints and comments;
 - 8.3.2. sending personalised newsletters and communications according to the Data Subject's preferences and sending information about similar products and services to the Data Subject similar to ones already booked by the Data Subject;
 - 8.3.3. to maintain and update the Company's client or user, or potential client or user databases;
 - 8.3.4. complying with regulatory reporting and statutory obligations;
 - 8.3.5. any uses set out in another contract, agreement, instruction or instance of the Company;
 - 8.3.6. fulfilling any contractual terms that the Company has to the Data Subject or any third party;
 - 8.3.7. to maintain and improve the Website/Application and to improve the experience of the Company's Website/Application to users, including by requesting feedback from the Website/Application users on the Company's Services; to retain and make information available on the Website/Application;
 - 8.3.8. authentication and identity checks;
 - 8.3.9. to enhance the safety and security of the Company's Services and for health, training, administrative and legal purposes;

- 8.3.10. data matching and dedupe, statistical and market analysis;
- 8.3.11. advertising and marketing for the Company, its affiliates and third parties;
- 8.3.12. developing, testing and maintaining systems;
- 8.3.13. studies, research and development of new features, products or services;
- 8.3.14. credit, debit or other payment card verification and screening and/or any other type of payment related Personal Information;
- 8.3.15. conducting the recruitment and hiring processes, which includes conducting employment reference, criminal record and credit checks (where appropriate), the capturing of a job applicant's details and providing status updates to job applicants;
- 8.3.16. in relation to supplier information, to create profiles on our systems, to receive and make payment, and for general supplier administration (including the updating and maintaining of the Company's supplier database (including potential suppliers));
- 8.3.17. for business operations, which includes using Personal Information for business management activities, including to assist with incident management and to enable the Company to conduct reporting;
- 8.3.18. accounting, billing, reporting and auditing;
- 8.3.19. credit checking or screening;
- 8.3.20. debt collection;
- 8.3.21. where required by law and/or in connection with legal proceedings or disputes;
- 8.3.22. the facilitation of insurance and finance solutions in connection with the Company's products and/or services;

8.3.23. for the furtherance of the legitimate interests of the Data Subject or in public interest;

8.3.24. for other activities and/or purposes which are lawful, reasonable and adequate, relevant and not excessive in relation to the provision of the Company's services and/or the use of the Company's website, its business activities or such other purpose for which it was collected.

9. FURTHER PROCESSING PERSONAL INFORMATION TO BE COMPATIBLE WITH PURPOSE OF COLLECTION

The Company will only use Personal Information for the purposes for which it collected it, unless it reasonably considers it necessary to use it for another reason, and that the reason is compatible with the original purpose. If the Company needs to use Personal Information for an unrelated purpose, the Company will notify and explain the legal basis for this.

10. SHARING OF PERSONAL INFORMATION

10.1. The Company will not intentionally share Personal Information, whether for commercial gain or otherwise, other than with permission, as permitted by applicable law, where it necessary to administer the relationship with the Data Subject, where a legitimate interest exists for doing so or in the manner as set out in this Policy.

10.2. **The Company will not share the Data Subject's Personal Information, provided in the form of reviews, feedback or commentary to any stakeholder or role players within the cruising industry, including but not limited to, cruise companies, agencies, representatives, employees or otherwise, without having de-identified/anonymised such information, and ensuring that the recipient of such information will not be able to identify the Data Subject.**

10.3. The Data Subject agrees and gives permission for the Company to share his/her/its Personal Information under the following circumstances, dependant on context: -

- 10.3.1. with the Company's agents, advisers, business partners, suppliers and other third parties, or any other person or entity that has agreed to be bound by the Act and this Policy or similar terms, which offer the same level of protection as this Policy;
- 10.3.2. with the Company's employees, suppliers, consultants, contractors and agents if and to the extent that they require such Personal Information in order to process it for the Company and/or in the provision of services for or to the Company;
- 10.3.3. with service providers that perform services for or on behalf of the Company, including, payroll services, advisory services, marketing services, providing mailing or email services, tax and accounting services, product or service fulfilment services, payments or transaction processing, photo sharing, data processing, enhancement and security services, medical and health purposes, insurances fraud prevention, web hosting, analytic services, or other online functionality, subject to appropriate contractual terms protecting the confidentiality and use of such data;
- 10.3.4. to enable the Company to enforce or apply any agreement that the Data Subject has with the Company;
- 10.3.5. to protect the Company's rights, property or safety or that of the users of its Services, Website or Application, or its clients, employees, contractors, suppliers, agents and any other third party;
- 10.3.6. with governmental agencies and other regulatory or self-regulatory bodies, if required to do so by law or when the Company reasonably believes that such action is necessary to:
 - 10.3.6.1. comply with the law or with any legal process;
 - 10.3.6.2. protect and defend the rights, property or safety of the Company, or of its clients, employees, contractors, suppliers, agents or any third party;

- 10.3.6.3. detect, prevent or manage actual or alleged fraud, security breaches, technical issues, or the abuse, misuse or unauthorised use of the Company's website and/or contraventions of this Policy; and/or
 - 10.3.6.4. protect the rights, property or safety of members of the public (if a Data Subject provides false or deceptive information or misrepresent themselves, the Company may proactively disclose such information to the appropriate regulatory bodies and/or commercial entities).
- 10.4. The Company will require third-parties to respect the security of Personal Information and to treat it in accordance with the provisions of this Policy and the law. The Company only permits them to process your personal data for specified purposes and in accordance with the Company's instructions. The Company will authorise any Personal Information by entering into written agreements governing the relationship and containing confidentiality, non-disclosure and data protection provisions. The Company may conduct audits on third party service providers from time to time to ensure their compliance with this Policy and the Act.

11. STORAGE AND TRANSFER OF YOUR PERSONAL INFORMATION

- 11.1. Personal Information is stored in the following ways:
 - 11.1.1. on the Company's premises, in the form of hard copies;
 - 11.1.2. the premises of third-party service providers such as document storage service providers;
 - 11.1.3. the Company's servers; or
 - 11.1.4. on the servers of the Company's third-party service providers, such as IT systems or hosting service providers.
- 11.2. In the event of the scenarios contemplated in clauses 11.1.2 and 11.1.4, the Company will ensure that it has entered into written agreements with those third-party service providers requiring them to secure the integrity and confidentiality

of Personal Information in their possession by taking appropriate, reasonable, technical and organisational measures.

- 11.3. From time to time, the Company and its service providers may need to transfer to and/or store Personal Information on servers in a jurisdiction other than where it was collected (i.e. outside of South Africa) and the Company hereby notifies the Data Subject that such jurisdiction may not have comparable data protection legislation.
- 11.4. If the location to which Personal Information is transferred and/or is stored does not have substantially similar laws to those of South Africa, which provide for the protection of Personal Information, the Company will take reasonably practicable steps, including the imposition of appropriate contractual terms, to ensure that the Personal Information is adequately protected in that jurisdiction.
- 11.5. Please contact the Company if you require further information as to the specific mechanisms used by the Company when transferring Personal Information outside of South Africa or to a jurisdiction that is different to the one in which the Company collected your Personal Information.

12. SECURITY

- 12.1. The Company takes reasonable technical and organisational measures to secure the integrity of Personal Information and using accepted technological standards to prevent unauthorised access to or disclosure of Personal Information, and protect Personal Information from misuse, loss, alteration and destruction.
- 12.2. The Company reviews its information collection, storage and processing practices, including physical and security measures (including, its cyber and technical measures) periodically, to ensure that it keeps abreast of good practice.
- 12.3. The Company creates a back-up of Data Subjects' information for operational, business continuity and safety purposes and it has a back-up disaster recovery program.
- 12.4. The Company has implemented policies and procedures to address actual and suspected data breaches and undertakes to notify the Data Subject concerned and the relevant regulatory authorities of breaches in instances within which the

Company is legally required to do so and within the period in which such notification is necessary.

- 12.5. In this clause, any person or entity engaging with the Company acknowledges that he/she/it knows and accepts that, notwithstanding anything contained in this Policy, the Company will not be liable for any loss, claim and/or damage from any unauthorised access, disclosure, misuse, loss, alteration or destruction of Personal Information.

13. RESTRICTION AND RETENTION OF PERSONAL INFORMATION

- 13.1. The Company may retain Personal Information only for as long as: -

- 13.1.1. the Data Subject continues to engage with the Company; to provide products or services to the Company; accesses or uses the Company's Website/Application and its content; retains an account with the Company; or uses the Services of the Company;

- 13.1.2. until a Data Subject contacts the Company and requests the destruction of his/her/its Personal Information;

- 13.1.3. the Company is required or permitted by law, a code of conduct or a contract with the Data Subject to do so;

- 13.1.4. the Company reasonably requires the Personal Information for lawful purposes related to the performance of its functions, activities or business objectives;

- 13.1.5. the Company reasonably requires it for evidentiary purposes; or

- 13.1.6. the Data Subject agrees to the Company retaining it for a specified further period.

- 13.2. To determine the appropriate retention period for Personal Information, the Company will consider, among other things, the nature and sensitivity of the Personal Information, the potential risks or harm that may result from its unauthorised use or disclosure, the purposes for which it is processed and whether

those purposes may be achieved through other means and applicable legal requirements.

- 13.3. Details of retention periods for different aspects of Personal Information are available upon request.
- 13.4. Once the Company is no longer authorised to retain any Personal Information, it will securely delete and/or destroy, or de-identify the Personal Information in terms of applicable laws and regulations.

14. MAINTENANCE OF PERSONAL INFORMATION

- 14.1. Where required by law, the Company will take all reasonable steps to ensure that Personal Information is accurate, complete, not misleading and up to date.
- 14.2. The Company also acknowledges that a Data Subject may have rights of access to, and the right to rectify, his/her/its Personal Information, and the rights to object to the processing of his/her/its Personal Information in certain circumstances.
- 14.3. Any person or entity engaging with the Company is required to inform the Company if any of the Personal Information that it may have about him/her/it or about any entity or person on whose behalf the person or entity acts, is incorrect, incomplete, misleading or out of date, by notifying the Information Officer of the Company at the particulars set out at clause 3.2.

15. DIRECT MARKETING

- 15.1. The Company processes Personal Information for the purpose of direct marketing by way of electronic communication. The Company will only send direct marketing materials if the Data Subject has specifically opted-in to receive these materials, or if the Data Subject is a client of the Company, and at all times in accordance with applicable laws.
- 15.2. Anyone may opt out of receiving direct marketing communication from the Company at any time by requesting it (in any manner, whether telephonically, electronically, in writing or in person) to stop providing any direct marketing communication to them. Opt-out requests can be sent to the Information Officer

of the Company at the particulars set out at clause 3.2 and/or using the opt-out preference options provided in the specific direct marketing communication concerned.

16. COMPLAINT PROCEDURE

- 16.1. The Company has also established an internal complaint procedure to be followed where any party believes that the Company is not acting in compliance the Act or any other personal information protection laws, regulations, rules, directives or otherwise. In such instances, you are requested to complete and send the Complaint Form attached hereto as Annexure "A" or to address your concerns in writing to the Information Officer of the Company at the at the particulars set out at clause 3.2.
- 16.2. If you feel that the attempts by the Company to resolve the matter have been inadequate, you may lodge a complaint with the South African Information Regulator by accessing their website at www.justice.gov.za/inforeg, or by lodging a complaint with the correct forum within the relevant jurisdiction.

17. RIGHTS OF DATA SUBJECTS

Under certain circumstances, the Data Subject has the following rights in law: -

17.1. The Right to be Informed

- 17.1.1. The Data Subject has the right to be notified that his/her/its Personal Information is being collected by the Company. The purpose of this Policy is to inform Data Subjects of this.
- 17.1.2. If further processing or processing of Personal Information that does not fall within the scope of this Policy is required, the Company will inform the Data Subject of this and obtain his/her/its consent (where necessary).
- 17.1.3. The Data Subject also has the right to be notified in any situation where the Company, on reasonable grounds, believes that the Personal Information of the Data Subject has been compromised, accessed and/or acquired by an unauthorised person.

17.2. **The Right to Access Personal Information**

17.2.1. The Company recognises that a Data Subject has the right to establish whether the Company holds Personal Information related to him/her/it, including the right to request access to that Personal Information.

17.2.2. Data Subjects can make use of the "Request Form" compiled in terms of the Promotion of Access to Information Act, No. 2 of 2000, which can be accessed on the Company's website.

17.3. **The Right to have Personal Information Corrected or Deleted**

17.3.1. The Data Subject has the right to request, where necessary, that his/her/its Personal Information must be corrected where such information held by the Company is not accurate or bears any defect;

17.3.2. The Data Subject has the right to request, where necessary, that his/her/its Personal Information must be deleted where the Company is no longer authorised to retain such Personal Information.

17.4. **The Right to Object to the Processing of Personal Information**

17.4.1. The Data Subject has the Right, on reasonable grounds, to object to the Processing of his/her/its Personal Information;

17.4.2. In such circumstances, the Company will give due consideration to the request and the requirements in this regard in terms of the Act. The Company may cease to use or disclose the Data Subject's Personal Information and may, subject to any statutory and contractual record keeping requirements, approve the destruction of the Personal Information.

17.5. **The Right to Withdraw Consent**

17.5.1. The withdrawal of consent can only be made on condition that such withdrawal:-

17.5.1.1. does not affect the processing of Personal Information before the withdrawal of the Data Subject's consent;

- 17.5.1.2. does not affect the processing of Personal Information if the processing is in compliance with an obligation imposed by law on the Company;
 - 17.5.1.3. does not affect the processing of Personal Information where such processing is necessary for the proper performance of a public law duty by a public body;
 - 17.5.1.4. does not affect the processing of Personal Information as required to finalise the performance of a contract in which the Data Subject concerned is a party; or
 - 17.5.1.5. does not affect the processing of Personal Information as required to protect the Data Subject's legitimate interests or the Company's own legitimate interests or the legitimate interests of a third party to whom the information is supplied.
- 17.5.2. Withdrawal of consent may limit the Company's ability to provide certain products and services to the Data Subject or the ability of a third party to provide certain products or services to the Data Subject, but will not affect the continued processing of Personal Information in instances in which consent is not required.

17.6. The Right to Object to Direct Marketing

- 17.6.1. The Data Subject has the right to object to the Processing of his/her/its Personal Information for purposes of direct marketing by means of unsolicited electronic communications;
- 17.6.2. The Company will only send Data Subjects direct marketing materials if he/she/it has specifically opted-in to receive such materials, or if he/she/it is a client of the Company, at all times in accordance with applicable laws.

17.7. The Right to Complain to the Information Regulator

17.7.1. The Data Subject has the right to submit a complaint to the Information Regulator regarding the alleged infringement of any of the rights conferred onto him/her/it by the Constitution and/or the Act and to institute civil proceedings regarding the alleged non-compliance with the protection of his/her/its Personal Information.

18. CONSUMER PROTECTION ACT, PROTECTION OF PERSONAL INFORMATION AND OTHER LAWS

18.1. If this Policy or any provision in this Policy is regulated by or subject to the Consumer Protection Act, No. 68 of 2008 ("the CPA"), the Act or any other laws, it is not intended that any provision of this Policy contravenes any provision of the CPA, the Act or any such other laws. Therefore, all provisions of this Policy must be treated as being qualified, to the extent necessary, to ensure that the provisions of the CPA, the Act and any other such laws are complied with.

18.2. No provision of this Policy:

18.2.1. does or purports to limit or exempt the Company from any liability (including, without limitation, for any loss directly or indirectly attributable to the Company's gross negligence or wilful default or that of any other person acting for or controlled by the Company) to the extent that the law does not allow such a limitation or exemption;

18.2.2. requires the Data Subject to assume risk or liability for the kind of liability or loss, to the extent that the law does not allow for such an assumption of risk or liability; or

18.2.3. limits or excludes any warranties or obligations which are implied into this Policy by the CPA and the Act (to the extent applicable), or any other applicable laws, to the extent that the law does not allow them to be limited or excluded.

19. CHANGES TO THIS PRIVACY POLICY

To the extent allowed by the law, this Policy may be amended and updated from time to time in the Company's sole discretion, without notice, provided that if the Company does so, it will post the revised Policy on the Company website listed herein, and will take reasonably practicable steps to inform Data Subjects of the

updated Policy. Accordingly, all Data Subjects are required to periodically check this Policy for changes. If a Data Subject continues to engage with the Company, provide products or services to the Company, or access or uses the Company website and/or products and services after amendments are made to this Policy, Data Subjects are deemed to have accepted the updated Policy.

ANNEXURE A
COMPLAINT FORM

The Company is committed to safeguarding your privacy and the confidentiality of your Personal Information and are, at all times, bound by the provisions of the Protection of Personal Information Act, No.4 of 2013.

Please submit your complaint to the Information Officer:	
Address to:	Information Officer at CruzLog
Email Address:	info@cruzlog.com

Particulars of Complainant:	
Full names:	
Identity Number:	
Postal Address:	
Contact Number:	
Email Address:	
Details of Complaint:	
Desired Outcome:	

Signature Page:
Signature:
Date:

Nothing in this POPI Complaint Form and/or this Privacy Policy compiled in terms of the Protection of Personal Information Act, No. 4 of 2013 is intended to limit and/or derogate your rights to lodge a complaint with the Information Regulator of South Africa, situated at 33 Hoof Street Forum III, 3rd Floor, Braampark, Johannesburg. Email: inforreg@justice.go.za.