

Kuda Holdings Proprietary Limited

Privacy Policy

1 Definitions

- 1.1 “Cookies” refers small text files transferred by a web server to, and stored on, your hard drive which help you to navigate the Website as easily as possible.
- 1.2 “Information Regulator” refers to the Information Regulator established in terms of section 39 of POPIA.
- 1.3 “Kuda” refers to Kuda Holdings Proprietary Limited, a private company duly registered in terms of the laws of the Republic of South Africa with registration number 2008/018404/07 and its subsidiary, Kuda Foreign Exchange Proprietary Limited, a private company with registration number 2012/221693/07.
- 1.4 “Personal Information” refers to Personal Information as defined in POPIA and/or third party information provided by you pursuant to your use of the Website and/or accessing the Services.
- 1.5 “POPIA” refers to the Protection of Personal Information Act, 4 of 2013, as amended.
- 1.6 “Privacy Policy” means this privacy policy.
- 1.7 “Services” refers to any services offered by Kuda.
- 1.8 “Website” refers to, and includes any part or element of, www.kuda.co.za, and any sub-site or other website owned or used by Kuda from time to time.

2 Introduction

- 2.1 **Kuda respects your privacy and is committed to processing and protecting your Personal Information in a lawful, fair and transparent manner that does not infringe your privacy.**
- 2.2 By using the Website and accessing our Services, you agree to be bound by this Privacy Policy and consent to the processing of your Personal Information as set forth herein. If you do not agree to and accept this Privacy Policy, you should not make use of the Website or access our Services.
- 2.3 The Website may contain links to websites operated by third parties. Kuda is not responsible for the content provided in respect of such websites, Personal Information collected by such websites and/or the privacy policies of such websites and it is recommended that you refer directly to these third parties regarding their privacy policies before supplying any Personal Information to them.

3 What information is collected?

- 3.1 When you use or visit our Website, we may collect certain information that is not Personal Information, such as your Internet Protocol (“IP”) address, operating system, browser type, and internet service provider. This type of information does not identify you personally.
- 3.2 When you use our Website or access the Services, we may also collect Personal Information that you provide to Kuda for such purpose. This Personal Information may contain information about you but may also include someone else’s Personal Information provided by you.
- 3.3 In particular, we may collect and process the following Personal Information about you:
 - 3.3.1 information that you provide by filling in forms, which entails the disclosure to Kuda of certain Personal Information such as your first and last names, telephone numbers, physical, postal and e-mail addresses, banking and/or credit card details, company information, residential addresses, business addresses, company registration documents, financial information, asset information, credit histories, tax details, related party information and other

information. This includes information provided at the time of your registering, subscribing, submitting, posting material to Kuda for the purpose of using the Website or accessing the Services;

- 3.3.2 information that we may ask you for when you enter any competition or promotion featured on our Website;
 - 3.3.3 information that relates to records of correspondence between us;
 - 3.3.4 information from surveys that you choose to complete for Kuda that we use for research purposes; and
 - 3.3.5 details of transactions you carry out with Kuda, whether through our Website or otherwise, and of the fulfilment of any contract you enter into with Kuda.
- 3.4 If, pursuant to your use of the Website or accessing the Services, you disclose a third party's Personal Information:
- 3.4.1 you must ensure that such third party is aware of the disclosure of the Personal Information to Kuda and the provisions of this Privacy Policy;
 - 3.4.2 you warrant that such third party has consented to the disclosure of the Personal Information to Kuda and this Privacy Policy; and
 - 3.4.3 you agree that you will be responsible for any such Personal Information disclosed to Kuda and will, upon request, assist Kuda with responding to any requests from such third party, including but not limited to requests to access, delete or otherwise change their Personal Information.

4 How is my information stored?

- 4.1 Your Personal Information is stored on servers located in South Africa. The hosting provider is bound by a privacy agreement entered into with Kuda and your Personal Information is stored securely, privately and is accessed using encrypted channels. In case of fire or damage to these servers, a backup solution exists to ensure no single point of failure.
- 4.2 Electronic Personal Information is stored in a secure database and location which is protected behind firewalls and is hosted in such a way that the database itself is not accessible to the outside world. However, the transmission of Personal Information via the internet is at your own risk and Kuda accepts no responsibility or liability for any security breach or in the event your Personal Information is damaged, loss disclosed, copied or modified in any unauthorised manner.

5 How is my information used?

By using the Website and/or accessing the Services, you hereby acknowledge and agree that:

- 5.1 Your Personal Information is stored and collected for purposes of processing orders and instructions, transacting with you, registration and verification, communicating with you, marketing and advertising, to respond to your queries or otherwise as may be required by law.
- 5.2 Kuda may access, aggregate and use your non-personalised Personal Information for internal business purposes such as generating statistics and developing strategic and marketing plans, in order to improve its Services, Service offerings or ranges, and provide Kuda's customers with better information regarding the Services. Kuda may also sell such aggregated and non-personalised Personal Information to third parties from time to time.
- 5.3 Kuda will use your Personal Information to contact you about promotions, news, updates and other information relating to its the Website and the Services. Should you wish to opt out of certain communications received from Kuda, you may elect to do so by notifying Kuda of your preference.

- 5.4 Kuda may access your Personal Information to carry out any contracts with you, enforce a contract with you, respond to any queries you make and notify you about changes to the Services.
- 5.5 Kuda will process your Personal Information in accordance with its obligations in terms of the relevant laws, including POPIA, and in doing so, Kuda undertakes not request unnecessary Personal Information, process your Personal Information outside the legitimate purpose for which it was collected, share, rent or sell your Personal Information disclosed to it with third parties except when you have consented or directed Kuda to share the Personal Information with service providers, affiliates and partners who perform services on Kuda's behalf.

6 Is my information secure?

- 6.1 The transmission of Personal Information via the internet or other electronic channels such as e-mail is not secure and Kuda cannot guarantee the security of such Personal Information. Transmission of your Personal Information is entirely at your own risk. Once received, Kuda uses reasonable technical and organisational measures to secure the integrity of the Personal Information under its control and to prevent the loss of, damage to or unauthorised destruction of your Personal Information and unlawful access to or processing of your Personal Information.
- 6.2 Kuda is also committed to protecting your Personal Information offline by ensuring that all of your Personal Information, and not just sensitive information, is restricted to only those employees of Kuda who need it to perform a specific task in terms of an agreement with you.
- 6.3 When a significant change in the processing of Personal Information is introduced, Kuda will undertake a data protection impact assessment prior to implementing such change.
- 6.4 If you have chosen or been given a password to access certain parts of the Website, you are responsible for keeping that password confidential. Please do not share this password with anyone.
- 6.5 Where Kuda has reasonable grounds to believe that your Personal Information under its control has been accessed or acquired by an unauthorised person, Kuda will notify you and the Information Regulator without delay in accordance with the requirements of POPIA.

7 How long is my information retained for?

Your Personal Information will be stored, processed and used by Kuda only for so long as you are an active client with Kuda and as may be necessary to provide the Services to you, comply with any applicable laws, resolve disputes and to enforce its agreements.

8 Accessing and modifying Personal Information and communication preferences

- 8.1 You may access, remove, review and/or make changes to Personal Information that you provide Kuda with, by sending a notification of such change of Personal Information to Kuda at the address in clause 14 below. Kuda may also send you any legally required notifications and certain notifications including service-related notices and notices regarding a change to any of its policies. You can always opt out of certain communications from Kuda, including e-mail notifications to you.
- 8.2 We will not change any of your preferences without your consent.

9 Cookies

- 9.1 Kuda may use Cookies to manage your sessions and store preferences, tracking information and language selection. Cookies may be used whether you register with Kuda or not. The types of information a Cookie collects include the date and time of your visits to the Website, your browsing history on the Website, your preferences and your username (if any).

9.2 Cookies enable Kuda to:

- 9.2.1 estimate the size and usage pattern of the Website's audience;
- 9.2.2 store information about your preferences, which allows Kuda to customise the Website to your individual interests;
- 9.2.3 speed up your searches; and
- 9.2.4 recognise you when you return to the Website.

9.3 In some instances, Kuda's third party service providers may use Cookies on the Website. Kuda cannot control or access Cookies used by third party service providers. This Privacy Policy covers only Cookies used by us but not any Cookies used by third parties.

9.4 You have the ability to accept or decline the use of Cookies on your computer. Typically, you can configure your browser not to accept Cookies. However, declining the use of Cookies may limit your access to certain features of the Website.

10 Disclosures

10.1 On rare occasions, Kuda may be required to disclose your Personal Information due to legal or regulatory requirements. In such instances, Kuda reserves the right to disclose your Personal Information as required in order to comply with its legal obligations including complying with court orders, warrants, subpoenas, service of process requirements or discovery requests.

10.2 Kuda may also disclose information about you to law enforcement officers or others, in the good-faith belief that such disclosure is reasonably necessary to enforce its terms and conditions or this privacy policy or respond to legal claims, to protect its intellectual property rights or the personal safety of its employees, officers, directors, agents or contractors or the general public.

10.3 We will notify you of any transaction in which substantially all of our assets which contain your Personal Information are sold to or merged into another company. The acquiring company will be given access to your Personal Information without your consent.

11 What are my rights?

11.1 You have the right, at any time, to know whether your Personal Information is being stored or processed by Kuda, consult with Kuda as to the contents and rationale for processing of such Personal Information, view and request copies of your Personal Information, to verify the accuracy of your Personal Information or to request that the Personal Information be updated, supplemented or corrected, withdraw a previously given consent for the processing or automated processing of your Personal Information, object to the processing of your Personal Information for any and all legitimate reasons, or to ask for the deletion of your Data.

11.2 Any request pursuant to this **clause 11** must be addressed to Kuda's information officer in writing by way of e-mail to the e-mail address below.

11.3 You also have the right to lodge a complaint with the Information Regulator regarding the processing of your Personal Information. The contact details of the Information Regulator are as follows:

33 Hoofd Sreet, Forum III, 3rd Floor, Braampark
 PO Box 31533, Braamfontein, Johannesburg, 2017
 Tel No. +27 (0) 10 023 5200
Complaints e-mail: complaints.IR@justice.gov.za

12 Children

Kuda does not knowingly store or process Personal Information of persons under the age of 18.

13 Amendment of this Policy

Kuda reserves the right to amend this Privacy Policy, from time to time. Such amendments shall be effected by way of publication thereof on the Website, and you waive any right you may have to receive specific notice of such amendments.

14 How to contact Kuda

If you have any questions about this privacy policy, please contact Kuda's information officer at natasha@kuda.co.za, with "Privacy Policy" in the subject line.

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