

## **PROTECTION OF PERSONAL INFORMATION AND PRIVACY POLICY**

### BrainRX Silver Lakes Privacy Policy

#### **1. INTRODUCTION**

BrainRX Silver Lakes knows that you care about how your personal information is used and shared, and we appreciate your trust in us to do that carefully and sensibly.

As a result, we would like to inform you regarding the way we would use your Personal Information.

This policy describes the types of personal information that we may collect about you, the purposes for which we use the information, the circumstances in which we may share the information, and the steps that we take to safeguard the information to protect your privacy.

We recommend you to read this Privacy Notice and Consent so that you understand our approach towards the use of your Personal Information. By submitting your Personal Information to us, you will be treated as having given your permission – where necessary and appropriate – for disclosures referred to in this policy.

By using this website, you acknowledge that you reviewed the terms of this Privacy Notice and Consent to use of Personal Information and agree that we may collect, use and transfer your Personal Information in accordance therewith.

Therefore, by engaging with us, you are accepting and consenting to the practices described in this Privacy Policy.

#### **2. DEFINITIONS**

- 2.1 Clause headings are for convenience and reference only and shall not be used in the interpretation thereof;
- 2.2 Any gender includes the other genders and a natural person includes a juristic persona and vice versa;
- 2.3 **“Data Subject”** means the person to whom Personal Information relates;
- 2.4 **“Third Party Service Providers”** means Third Party Product owners and/or administrators.
- 2.5 **“Information Officer”** means the person appointed by the Company, from time to time, who is responsible for the monitoring of compliance.
- 2.6 **“Person”** means any person, company, close corporation, trust, partnership or other entity.
- 2.7 **“Personal Information”** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person.
- 2.8 **“Privacy Notice or Notice”** means this Notice as amended from time to time.
- 2.9 **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information.

### **3. OBJECTIVE**

The objective of this notice is to give effect to the Protection of Personal Information Act (POPI Act) and to provide clarity on the following:

- 3.1 What personal information is collected about a data subject and the basis thereof;
- 3.2 How we protect and use the personal information of a data subject;
- 3.3 How long your personal information is kept;
- 3.4 The rights of a data subject regarding their personal information; and
- 3.5 What the data subject should do if he/she does not want to provide the required personal information.

### **4. DEFINITION OF PERSONAL INFORMATION**

According to the POPI Act “Personal Information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person. The POPI Act, which has more specific examples if required, can be found at the following link: [www.gov.za/documentns/download.php?f=204368](http://www.gov.za/documentns/download.php?f=204368)

### **5. COLLECTION OF PERSONAL INFORMATION**

We collect and process your Personal Information mainly to provide you with access to our services and products, to help us improve our offerings to you, to support our contractual relationship with you and for certain other purposes explained below. The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

We collect information directly from you where you provide us with your personal details, for example when you purchase or supply a product or services to or from us, or when you submit enquiry to us or contact us, or subscribe to our mailing list/newsletter. Where possible, we will inform you what information you are required to provide to us and what information is optional.

Examples of information we collect from you are:

- Name and Surname
- Address
- Contact information: email address and telephone/cell number
- Date of Birth
- Preferred methods of communication
- City or town where you reside
- User-generated content, posts and other content you submit to our website

### **6. SPECIAL PERSONAL INFORMATION**

The term “special personal information” in this context refers to information relating to your religious or philosophical beliefs, race or ethnic origin, trade union membership, political opinions, health, sexual life or criminal behaviour. We do not generally collect special personal information unless it is volunteered by you.

## **7. PERSONAL INFORMATION ABOUT CHILDREN**

We do not knowingly collect any personal information from children (under 18 years of age) without the permission of their parent/s or guardian. As a parent or guardian, please respect this.

## **8. CONTACTING US VIA OUR WEBSITE OR OTHERWISE**

When you use the website (our “Site”) or contact us by post, telephone, email, or other electronic communication, we collect, store and use certain personal information that you disclose to us to contact you. This detail includes details such as your name, the name of the person you are contacting us about, date of birth, telephone number, mobile phone number and place of residency.

We keep a record of our first and all follow-up correspondence to enable us to best respond to your service requirements.

By visiting the Company website and communicating electronically with us, the Data Subject consents to the processing, including transfer, of his Personal Information as set out in the Notice.

**It is expressly prohibited for any person, business or entity to gain unauthorised access to any page on our website or to attempt to deliver any unauthorised, damaging or malicious code thereto.**

## **9. SURVEYS**

We may request of you to participate/complete surveys for marketing purposes from time to time, although you do not have to respond to them.

## **10. WHAT DO WE DO WITH PERSONAL INFORMATION COLLECTED FROM YOU**

We use personal information to provide the services and products you request from the Company such as booking a test, requesting information about a test or program, booking a program, agreeing to receive our newsletter, becoming a contributor to our blog site or participating in one of our Webcasts or Podcasts. We may also use the information to advertise products and services, to collect and process payments and maintain accounts and records. In addition, we use the information to improve our customer/client services platform, prevent or detect fraud or abuses of our website, and enable third parties to carry out technical, logistical or other functions on our behalf.

We will not engage in the practice of direct marketing by means of unsolicited electronic communication unless you are already a member/client of the Company or have given your consent to such processing.

If you apply for employment at the Company, we use the personal information you supply to process your job application.

Other than as set out in this Privacy Policy, we will not share your personal information with third parties for marketing purposes without your consent, unless we are required to do so by law.

## 11. DOES THE COMPANY SHARE THE INFORMATION IT RECEIVES

Information about our clients is important to us and we do not sell any of this to others. The Company shares client information only as described below.

- **Third Party Service Providers**: We own licenses to products/programmes and therefore are reliant on other companies and/or product owners, to perform specific functions related to products and services on our behalf. These product owners or administrators, which is deemed Third Party service providers for all intents and purposes, will have access to personal information limited to their function or requirement to perform their service, but may not use this information for any other purposes. Further, they must process the personal information in accordance with the Privacy Policy and as permitted by South African data protection legislation. We have agreements in place to ensure that they comply with these privacy terms.
- **Business Transfer**: As we continue to develop our business, we might sell or buy brain skills centres or additional products or services. In such transactions, member/client information generally is one of the transferred business assets but remains subject to the promises made in the pre-existing Privacy Policy (unless, of course, the customer consents otherwise). Also, in the unlikely event that the Company or substantially all of its assets are acquired, personal information could be one of the transferred assets.
- **Protection of the Company and others**: We release account and other personal information when we believe that such a release is appropriate to comply with the law; enforce or apply our customer or other agreements; or protect the rights, property or safety of the Company, our users and others. This includes exchanging information with other companies and organisations for fraud protection and credit risk reduction. This does not include selling, sharing or otherwise disclosing personally identifiable information from members/clients for commercial purposes in a way that is contrary to the commitments made in this Privacy Policy.

With your consent, other than as set out above, you will receive notice when information about you might go to third parties and you will have an opportunity to choose not to share the information.

## 12. HOW SECURE IS INFORMATION ABOUT ME

We maintain physical, electronic and procedural safeguards in connection with the collection, storage and disclosure of personally identifiable information. Our security procedures mean that we may occasionally request proof of identity before we disclose personal information to you. Clients and website users where necessary, and whether applicable now or in the future, undertake not to use any username or passwords relating to any other person.

The transmission of information via the internet or mobile phone network connection may not be completely secure and any transmission is at the Data Subject's risk.

### **13. CROSS-TERRITORY TRANSFER OF INFORMATION**

We may need to transfer your personal information to another country for processing or storage. We will ensure that anyone to whom we pass your personal information, agrees to treat your information with the same level of protection as we are obliged to.

### **14. STORAGE OF DATA**

We retain your personal data only for the period necessary for the purposes set out in this Policy or in accordance with Company requirements, including that of research and comparison or in accordance with the provisions of any applicable legislation.

### **15. WHAT ARE MY RIGHTS**

You have the right to request a copy of the personal information we hold about you or to object to the processing of personal information held about you.

To do this, contact us at the numbers/address listed at the end of this document and specify what information you would like. We will take all reasonable steps to confirm your identity before providing details of your personal information.

You also have the right to choose not to provide any information. If you do not want to receive e-mail or other electronic communications and mail from us, tick the opt-out box in your terms and conditions or let us know in writing if you don't want to receive these offers. However, please note, if you do not want to receive legal notices from us, such as this Privacy Policy, those notices will still govern your use of the Company services and products and it is your responsibility to review them for changes.

You have the right to request of us to update, correct or delete your personal information. You may do this by contacting us at the numbers/address provided at the end of this document.

We will take all reasonable steps to confirm your identity before making changes to personal information we may hold about you.

We would appreciate it if you would keep your personal information accurate. Please update your information by contacting us at the numbers/address provided at the end of the document whenever you had a change in personal detail.

Please note that we may amend this policy document from time to time.

## 16. NOTICE OF REVISIONS

If you have any concerns about privacy at the Company, please e-mail us a thorough description and we'll endeavour to do what we can to resolve this issue for you.

Our business changes constantly and our Privacy Policy and our website terms and conditions will also change from time to time. We may e-mail periodic reminders of our notices and conditions, unless you have instructed us not to, but you should check our website frequently to see recent changes. Unless stated otherwise, our current Privacy Policy applies to all information that we have about you and your account. However, we stand behind the promises we make and will never materially change our policies and practices to make them less protective of member/client information collected in the past without the consent of affected members/clients.

## 17. CONTACT

Questions, comments and requests regarding this Privacy Policy are welcomed and should be addressed to the Information Officer.

**BrainRX Silver Lakes**  
**South Africa**

**Information Officer:**

**Andrea Terblanche**  
[andrea@brainrxsilverlakes.co.za](mailto:andrea@brainrxsilverlakes.co.za)

**Tel: 082 903 7363**