



**SHIP-SHAPE SOFTWARE (PTY) LTD
PRIVACY NOTICE AND INFORMED CONSENT NOTICE**

**CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF INFORMATION ACT, 4 OF 2013
(POPIA)**

The Protection of Personal Information Act, 4 of 2013 (POPIA) gives effect to the constitutional right to data privacy in terms of Section 14 of the Bill of Rights of the Constitution.

Ship-Shape Software (Pty) Ltd is committed to protecting all person's rights to privacy and will, as far as is reasonably practicable, ensure that all person's Personal Information is used appropriately, transparently and according to applicable law. Ship-Shape Software (Pty) Ltd has to ensure that these rights to privacy are balanced with other rights such as the right to use and have access to Ship-Shape Software (Pty) Ltd's Information and Services including its online and social media platforms and applications.

This notice sets out the responsibilities and obligations of all persons who make use of, or access or receive Ship-Shape Software (Pty) Ltd's Information and Communications via its electronic communication facilities and resources including its website, App, email and social media platforms and how all users of these facilities and resources are to ensure that when using these facilities and resources that they respect and process another's Personal Information lawfully and in accordance with the provisions of POPIA and the eight Personal Information Processing Conditions.

PLEASE READ THE DOCUMENT BEFORE YOU MAKE USE OF SHIP-SHAPE SOFTWARE (PTY) LTD'S ELECTRONIC FACILITIES OR PROVIDE SHIP-SHAPE SOFTWARE (PTY) LTD WITH ANY PERSONAL INFORMATION BY PROVIDING SHIP-SHAPE SOFTWARE (PTY) LTD WITH YOUR PERSONAL INFORMATION, YOU CONSENT TO SHIP-SHAPE SOFTWARE (PTY) LTD PROCESSING YOUR PERSONAL INFORMATION, WHICH SHIP-SHAPE SOFTWARE (PTY) LTD UNDERTAKES TO PROCESS STRICTLY IN ACCORDANCE WITH THIS PRIVACY NOTICE.

1. INTRODUCTION

- 1.1 Ship-Shape Software (Pty) Ltd does, and will, on an on-going basis, receive, provide and process Personal Information.
- 1.2 In terms of the Protection of Personal Information Act, 4 of 2013 (POPIA) everyone has the right to privacy, including the right to the lawful collection, retention, dissemination and use of one's Personal Information.
- 1.3 In order to give effect to this right, Ship-Shape Software (Pty) Ltd is under a duty to provide any person whose Personal Information is processed by it, (known as a "Data Subject") with a number of details pertaining to the use of and subsequent processing of the Data Subject's Personal Information, before such Personal Information may be used or processed by Ship-Shape Software (Pty) Ltd.
- 1.4 In accordance with this requirement, Ship-Shape Software (Pty) Ltd sets out below
- the reasons why processes a Data Subject's Personal Information,
 - the conditions under which it will receive and use a Data Subjects Personal Information,
 - how Ship-Shape Software (Pty) Ltd will use and handle this Personal Information, as well as
 - the conditions under which it will provide its own Personal Information.

2. APPLICATION

- 2.1 The Privacy Notice is applicable to: -
- 2.1.1 all Ship-Shape Software (Pty) Ltd 's electronic platforms and facilities, including social media, websites, Apps and / or email, whether owned by, established by, used by, hosted by and / or accessed by Ship-Shape Software (Pty) Ltd, and
- 2.1.2 all and any Data Subject(s), who may access and make use of the aforementioned electronic platforms and facilities, including, without detracting from the generality thereof, Ship-Shape Software (Pty) Ltd 's employees and staff, consumers and customers, vendors, contractors, service providers and / or other third parties.
- 2.2.2 all the Personal Information which is owned by Ship-Shape Software (Pty) Ltd and which is provided to any responsible parties and / or operators as a result of such person accessing or making use of Ship-Shape Software (Pty) Ltd 's social media and electronic platforms.

3. ACCOUNTABILITY

- 3.1 Ship-Shape Software (Pty) Ltd takes the privacy and protection of a Data Subject's Personal Information very seriously and will only process a Data Subject's Personal Information in accordance with POPIA and the terms of this Privacy Notice.
- 3.2 In turn where Ship-Shape Software (Pty) Ltd provides any of its Personal Information to a Responsible Party or Operator, then such person will be required as a condition of receiving such information, to process such Personal Information in accordance with POPIA and the terms of this Privacy Notice.

3.3 Accordingly, the relevant data privacy principles relating to the processing of Personal Information, whether that belonging to Ship-Shape Software (Pty) Ltd or that belonging to a Data Subject (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will apply without exception, save where POPIA provides for such an exception, to all and any Personal Information provided by Ship-Shape Software (Pty) Ltd to another or received by Ship-Shape Software (Pty) Ltd as a result of the use of Ship-Shape Software (Pty) Ltd 's electronic platforms and facilities.

4. AGREEMENT TO BE BOUND AND CONSENT TO PROCESS

4.1 By submitting Personal Information or by accessing or using the electronic platforms and facilities including all websites, Apps and URL's, any sites housed under its domain names and / or social media platforms, and / or when sending or receiving emails email, Data Subject:

4.1.1 acknowledges that it has read and understood this Privacy Notice and related provisions;

4.1.2 agrees to be bound by the terms and conditions of this Privacy Notice;

4.1.3 agrees to comply with this Privacy Notice; and

4.1.4 gives Ship-Shape Software (Pty) Ltd explicit consent to process and further process the required Personal Information for the required purpose, in accordance with this Privacy Notice.

5. RECEIPT, USE AND SHARING OF PERSONAL INFORMATION BY SHIP-SHAPE SOFTWARE CC

5.1 Ship-Shape Software (Pty) Ltd will receive Personal Information pertaining to a Data Subject when the Data Subject submits a query or request via the Ship-Shape Software (Pty) Ltd electronic platforms or facilities, including via its website, or by way of email, telephone or via social media.

5.2 On receipt of the request or query, Ship-Shape Software (Pty) Ltd will thereafter use and process the Data Subject's Personal Information for the purpose of the query and for a variety of related purposes, which will all depend on the query or request, and which, without detracting from the generality thereof, may include:

- for the purposes of identifying and / or verifying the Data Subject's details;
- to gather contact information;
- for the purposes of providing information, products and / or services or details in connection therewith or pertaining thereto, that the Data Subject, may have requested;
- to enrol the Data Subject as a visitor;
- to grant the Data Subject access;
- for employment application purposes;
- for the purpose of concluding an employment relationship with an applicant;
- for the purposes of managing any information pertaining to the Data Subject;
- for further processing or general administration purposes;
- for legal or contractual purposes;

- to detect and prevent fraud;
- for the purpose of debt collection;
- for the purposes of identifying other products and/or services which might be of interest to the Data Subject;
- for the purposes of informing a Data Subject about Ship-Shape Software (Pty) Ltd 's products and/or services.

5.3 In order to correctly handle any request or query, and in order to perform the purposes described above, Ship-Shape Software (Pty) Ltd may from time to time share a Data Subject's Personal Information with the following parties:

- Ship-Shape Software (Pty) Ltd 's employees, which will only be done on a need-to-know basis;
- Ship-Shape Software (Pty) Ltd 's suppliers, which will only be done on a need-to-know basis;
- operators such as service providers and agents who perform services on behalf of Ship-Shape Software (Pty) Ltd which will only be done on a need-to-know basis and in terms of a written operator agreement.

5.4 Ship-Shape Software (Pty) Ltd does not share a Data Subject's Personal Information with any third parties who have not been described above, unless:

- Ship-Shape Software (Pty) Ltd is legally obliged to provide such information to another for legal or regulatory purposes;
- Ship-Shape Software (Pty) Ltd is required to do so for purposes of existing or future legal proceedings;
- the onward transmission or sharing of Personal Information is necessary for the pursuance or protection of Ship-Shape Software (Pty) Ltd 's legitimate interests or that of the Data Subject or a third party;
- and under all of the abovementioned circumstances, Ship-Shape Software (Pty) Ltd will take reasonable measures to ensure that such Personal Information is only provided to the recipient, if such recipient undertakes to keep the Personal Information confidential and secure.

6. RECEIPT, USE AND SHARING OF SHIP-SHAPE SOFTWARE (PTY) LTD 'S PERSONAL INFORMATION

6.1 Ship-Shape Software (Pty) Ltd on receipt and in response to a query or request received from a Data Subject, referred to under section 5 above, may transmit via its website or App, or by way of email, telephone or via social media, its own Personal Information, which Personal Information on receipt by the requesting or receiving party, may only be used for the purpose relating to the initiating of the request or query and for no other purpose. Furthermore, the recipient undertakes that it will not use this Personal Information for any other purpose or share this information with any other party, save where it has been given express permission to do so by Ship-Shape Software (Pty) Ltd.

7. INFORMATION QUALITY/OPENNESS/DATA SUBJECT PARTICIPATION

7.1 Whilst Ship-Shape Software (Pty) Ltd will make all efforts to ensure the integrity and accuracy of a Data Subject's Personal Information, this may not at all times be possible. Following this, the Data Subject accepts the responsibility for keeping his / her or its Personal Information up to date, and undertakes to inform Ship-Shape Software (Pty) Ltd of any changes to his / her and its Personal Information.

7.2 A Data Subject has a right of access to any Personal Information which Ship-Shape Software (Pty) Ltd may have and where applicable may ask Ship-Shape Software (Pty) Ltd to correct any inaccuracies in or to any such Personal Information.

8. SECURITY OF PERSONAL DATA

8.1 Ship-Shape Software (Pty) Ltd makes all reasonable effort to keep its social media and electronic platforms, including its website, secure at all times. However, Ship-Shape Software (Pty) Ltd advises that it cannot guarantee the security of any information provided to or by Ship-Shape Software (Pty) Ltd through its website, e-mail, internet or social media sites. Following this Ship-Shape Software (Pty) Ltd cannot be held responsible for any loss or unauthorised use or interception of information transmitted via these social media and electronic platforms or sites, including its Internet, which is beyond Ship-Shape Software (Pty) Ltd 's reasonable control.

8.2 Ship-Shape Software (Pty) Ltd has placed cookies on its website which makes contact with your / a Data Subject's device to help improve Ship-Shape Software (Pty) Ltd 's social media and electronic platforms and website. If a user (Data Subject) does not want information collected through the use of cookies the user may follow the deny or accept cookies feature. If Data Subjects do not disable cookies, Data Subjects are deemed to consent to Ship-Shape Software (Pty) Ltd 's use of any Personal Information – collected using cookies.

8.3 Note that all Ship-Shape Software CC's social media and electronic platforms including its website and telephone facilities and your use of them will be monitored on a regular basis including the recordal and interception of content placed on or stored on said facilities which is done for security, integrity and quality assessment purposes and by using such electronic platforms and facilities you expressly acknowledge notice of such monitoring and interception and give consent thereto in accordance with the Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002 ("RICA"),

8.4 Subject to the provisions above, Ship-Shape Software (Pty) Ltd has implemented the appropriate technical and organisational security measures which are required in order to protect all Personal Information and related data which it holds from and / or against unauthorised access, accidental or wilful manipulation, loss or destruction.

8.6 Ship-Shape Software (Pty) Ltd will notify Data Subjects of any unauthorized use, disclosure or processing of the Data Subject's Personal Information.

9. DISCLAIMER

The use of the website and / or App is entirely at the Data Subject's own risk and Data Subjects assume full responsibility for any risk or loss resulting from the use of the website and / or App. Ship-Shape Software (Pty) Ltd disclaims liability for any damage, loss or expenses arising out of or in connection with the Data Subject's access to or use of the website and / or App, unless otherwise provided in law.

10. CONTACT DETAILS

Kindly contact our offices in relation to this Privacy Notice by writing to us at or by calling our Information Officer.