



## **MIJOVY (Pty) Ltd PRIVACY POLICY**

### **1. DEFINITIONS**

- 1.1. **“Account”** – means an account created through one of our Platforms, by a Registered Account Holder.
- 1.2. **“Mijovy Tape Cutter”** – means our flagship product, a simple and cost-effective tape cutter, protected in terms of the Patents Act 57 of 1978, as provisional patent application no 2019/06119.
- 1.3. **“Personal Information”**– means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to –
  - 1.3.1. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
  - 1.3.2. information relating to the education or the medical, financial, criminal or employment history of the person;
  - 1.3.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
  - 1.3.4. the biometric information of the person;
  - 1.3.5. the personal opinions, views or preferences of the person;
  - 1.3.6. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
  - 1.3.7. the views or opinions of another individual about the person; and
  - 1.3.8. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.
- 1.4. **“Platforms”** – means our Website, related mobile and software applications, email addresses, telephone contact number, which are used to access and purchase our Products.
- 1.5. **“Processing/Process”** – means any operation or activity of any set of operations, whether or not by automatic means, concerning Personal Information, including –
  - 1.5.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
  - 1.5.2. dissemination by means of transmission, distribution or machining available in any other form; or
  - 1.5.3. merging, linking, as well as restriction, degradation, erasure or destruction of information.

- 1.6. **“Product(s)”** means any item offered for sale through any one of our Platforms or through sale in a retail outlet, including the Mijovy Tape Cutter.
- 1.7. **“Registered Account Holder”** - means anyone registered on our Platforms and has provided us with a unique email address and password as well as other Personal Information with the purpose of ordering goods and services on our Platforms.
- 1.8. **“We”, “us” or “our”** -means Mijovy (Pty) Ltd.
- 1.9. **“Website”** – means [www.Mijovy.com](http://www.Mijovy.com).
- 1.10. **“You”, “your” or “user”** - means every person that accesses or uses our Platforms for the purpose of ordering any one of our Products or anyone purchasing our Products from a retail outlet, as the case may be.

## **2. PURPOSE**

- 2.1. The purpose of this Privacy Policy is to set out how, why and when Mijovy (Pty) Ltd (**“Mijovy”**) uses your Personal Information so as to comply with the Protection of Personal Information Act 4 of 2013 (**“POPI”**). It is important that you read this Privacy Policy together with our other Terms and Conditions, privacy notices or policies we may provide from time to time when we collect or use your Personal Information.
- 2.2. Mijovy respects your privacy and take the protection of Personal Information very seriously. We strive to deliver excellent service every time you shop with us, and to do this, we need to use some of your Personal Information. This Privacy Policy describes how we handle the Personal Information we collect from you and/or receive from you. By using our Platforms, you agree to the processing of your Personal Information as set out in this Privacy Policy.
- 2.3. Furthermore, this Privacy Policy contain clauses that appear in a similar text and style to this clause which you need to take note of because they:
  - 2.3.1. may limit the risk or liability of Mijovy or a third party; and/or
  - 2.3.2. may create risk or liability for you; and/or
  - 2.3.3. may compel you to indemnify Mijovy or a third party; and/or
  - 2.3.4. serves as an acknowledgement, by you, of a fact.
- 2.4. As a Registered Account Holder, you may exercise all of your rights in terms of the POPI Act.

## **3. COLLECTION OF PERSONAL INFORMATION**

- 3.1. By registering yourself on our Platforms, we may collect the following Personal Information from you:
  - 3.1.1. Name, surname, identification number, date of birth and gender;
  - 3.1.2. Company name, company registration number and VAT number (only applicable to companies);
  - 3.1.3. Email address, physical address and postal address (where this is not the same as the physical address) and telephone numbers;
  - 3.1.4. Unique user ID and password (which is used to identify you each time you use our Website, mobile applications or related software).
- 3.2. If your Personal Information changes, you can change your Personal Information by updating your information in your Account profile.

- 3.3. Each time you access any one of Mijovy's Platforms, Mijovy may process some of your Personal Information, whether you are a Registered Account Holder or not. We may therefore receive:
  - 3.3.1. certain information from our Internet browser, such as your internet protocol address (IP address), cookies preferences, language settings, versions of software installed, plug-ins, search engine keywords, the website pages you browse;
  - 3.3.2. how and when and for how long you access our Platforms, which devices you use to access our Platforms, the geographical location from which you are accessing our Platforms, information about you from third parties, such as social media;
  - 3.3.3. we may send you one or more cookies to collect certain usage information which is used by our browser to personalise and improve your future Website experiences. Our cookies may provide advertising that is relevant to you as well as sending opt-in marketing communication if you are not a Registered Account Holder.
- 3.4. You consent to us collecting your Personal Information in accordance with the applicable laws at the time you become a Registered Account Holder.
- 3.5. By accepting the terms of this Policy, confirm that you are at least 18 (eighteen) years of age or possess full legal capacity. If you are under 18 (eighteen) or do not possess legal capacity, you may not use our Platforms without proper supervision by a parent or guardian. If your parent or guardian consents to your use of our Platforms, he/she accepts the terms of this Policy and agree to be legally bound thereto.

#### **4. USE OF PERSONAL INFORMATION**

- 4.1. We use your Personal Information to identify you, create a Registered Account for you and/or to enter into a contract with you.
- 4.2. If you are a Registered Account Holder, we will use your Personal Information:
  - 4.2.1. to enable us to deliver goods ordered from us and to process returns where necessary;
  - 4.2.2. to provide you with information, Products or services requested from us;
  - 4.2.3. communicate with you regarding changes to any of our Platforms, our Products or services, Terms and Conditions, including this Privacy Policy;
  - 4.2.4. to send you information about competitions, Products or services which may interest you (you may also elect to opt out of receiving such material).

#### **5. SHARING OF PERSONAL INFORMATION**

- 5.1. We will never sell or share your Personal Information to any third parties for their own marketing, benefits or any other purpose.
- 5.2. We may share your Personal Information with:
  - 5.2.1. employees, staff of Mijovy and any other third-party service provider, who may need to contact you through our Platforms when you order Products and for delivery of Products to you;
  - 5.2.2. law enforcement, government officials, fraud detection agencies or any other third party when the disclosure of your Personal Information is necessary to investigate fraud, intellectual property infringements, illegal activities that may expose us to legal liability or financial loss, or to report and support any investigation into suspected illegal activity;

- 5.2.3. any affiliate or purchaser of any part or whole of Mijovy in the event of any reorganisation, merger, acquisition, joint venture or sale of any or all of our assets. Such a change in ownership will be communicated on our Platforms and you may request that your Personal Information is deleted from our system in this case;
  - 5.2.4. any of our service providers who help us in our business operations (fraud prevention, bill collection, marketing, technology services). Your Personal Information is shared with these service providers to fulfil their contractual obligations to us and is not used for their own benefit;
  - 5.2.5. credit bureaus to report account information, to the extent that it is permitted by law.
- 5.3. We may share your Personal Information outside of South Africa in the event that we need to store your information on servers which are located in another country or it is required in terms of our contractual obligations to you as set in clause 4 above, as well as our Terms and Conditions. We will only share your Personal Information outside of South Africa when done so in accordance with the POPI Act.

## **6. RETENTION OF PERSONAL INFORMATION**

We will retain your Personal Information for only so long as is necessary for us to fulfil our contractual obligations to you, unless retention of your Personal Information is allowed by law or you have consented for us to retain your Personal Information.

## **7. SECURING OF PERSONAL INFORMATION**

- 7.1. We take all reasonable measures and controls to ensure that your Personal Information will not be lost or damaged and to prevent any unauthorised or unlawful access or processing of your Personal Information.
- 7.2. Mijovy will accept no liability where you disclose your Personal Information to any party other than Mijovy.