



WEBSITE PRIVACY POLICY

Document No:	W01		
Version No:	30-06-21 (V1)		
Custodian:	Information Officer		
Status	Director	Date	Signature
Approved by:	Sabine Raves Angela Hailu	30-06-21 30-06-21	
Revision Frequency:	Annually		
Next Review:	01 June 2022		
Related Documents			
<ul style="list-style-type: none"> - Protection of Personal Information Act, No 4 of 2013 (“POPIA”) 			

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**PRIVACY NOTICE AND INFORMED CONSENT NOTICE
CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF THE
PROTECTION OF INFORMATION ACT, 4 OF 2013 (POPIA)
(EMAIL, WEBSITE AND SOCIAL MEDIA PRIVACY NOTICE)**

PLEASE READ THE DOCUMENT BEFORE YOU MAKE USE OF CINGULATE'S ELECTRONIC FACILITIES OR PROVIDE CINGULATE WITH ANY PERSONAL INFORMATION. BY PROVIDING CINGULATE WITH YOUR PERSONAL INFORMATION, YOU CONSENT TO CINGULATE PROCESSING YOUR PERSONAL INFORMATION, WHICH CINGULATE UNDERTAKES TO PROCESS STRICTLY IN ACCORDANCE WITH THIS WEBSITE PRIVACY POLICY.

1. INTRODUCTION

- 1.1. 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;
- 1.2. **Cingulate Marketing & Advertising (Pty) Ltd** ("Cingulate") a professional company established under the laws of South Africa is a privacy conscious South African company. This Website Privacy Policy explains how we protect and use your information gathered via this Website, email and our social media platforms;
- 1.3. Cingulate in order to carry out its aims and objectives as an Marketing and Advertising consultancy, does, and will, on an on-going basis receive, provide and process Personal Information;
- 1.4. In terms of a law known as 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;
- 1.5. Whilst Cingulate is committed to protecting all person's rights to privacy and who in consequence will ensure that all person's Personal Information is used appropriately, transparently and according to applicable law, Cingulate has to ensure that these rights to privacy are balanced with other rights such as the right to use and have access to Cingulate's Information and Services including its online and social media platforms and applications;
- 1.6. In order to give effect to this right, Cingulate 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;

1.7. In accordance with this requirement, Cingulate sets out below:

- the reasons why it will have to process a Data Subject’s Personal Information;
- the conditions under which it will receive and use a Data Subjects Personal Information;
- how Cingulate will use and handle this Personal Information, as well; a
- the conditions under which it will provide its own Personal Information.

2. DEFINITIONS

2.1. **Data Subject** means the person to whom the personal information relates;

2.2. **Cookie** means a small file that is placed on your device when you visit a website. In this Policy, a reference to a "Cookie" includes analogous technologies such as web beacons and clear Graphic Interchange Format files ("GIFs");

2.3. **Operator** means a person or entity who processes personal information on behalf of a Responsible Party;

2.4. **Personal Information** means information relating to a Data Subject, including but not limited to (i) views or opinions of another individual about the Data Subject; and (ii) information relating to such Data Subject’s;

2.5. **Responsible Party** means the entity that decides how and why Personal Information is processed;

2.6. **Third Party/ Service Provider** means any independent contractor, agent, consultant, sub-contractor or other representative of Cingulate;

2.7. **Website** means the Cingulate website currently located at www.cingulate.co.za

3. PURPOSE

The purpose of this policy is to inform Data Subjects about how Cingulate processes their Personal Information.

4. APPLICABLE TO

4.1. This Website Privacy Policy of Cingulate, is applicable to

- 4.1.1. all Cingulate's electronic platforms and facilities, including social media, websites and / or email, whether owned by, established by, used by, hosted by and / or accessed by Cingulate; and
- 4.1.2. all and any Data Subject(s), who may access and make use of the aforementioned Cingulate electronic platforms and facilities, including, without detracting from the generality thereof, Cingulate's employees, clients, suppliers, contractors, service providers and / or other third parties;
- 4.1.3. all the Personal Information which is owned by Cingulate and which is provided to any responsible parties and / or operators as a result of such person accessing or making use of Cingulate's social media and electronic platforms.

5. ACCOUNTABILITY

- 5.1. Cingulate 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 Policy;
- 5.2. In turn where Cingulate 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 Policy;
- 5.3. Accordingly, the relevant data privacy principles relating to the processing of Personal Information, whether that belonging to Cingulate 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 Cingulate to another or received by Cingulate as a result of the use of the Cingulate's electronic platforms and facilities.

6. AGREEMENT TO BE BOUND AND CONSENT TO PROCESS

- 6.1. By accessing or using Cingulate's electronic platforms and facilities including all website and URL's, any sites housed under its domain names and / or social media platforms, and / or when sending or receiving emails using Cingulate's email, the Data Subject:
 - 6.1.1. acknowledges that it has read and understood this Website Privacy Policy and related provisions;
 - 6.1.2. agrees to be bound by this Website Privacy Policy;

- 6.1.3. agrees to comply with this Website Privacy Policy; and
- 6.1.4. gives Cingulate, its Service Providers and other third parties consent to process any required Personal Information for the required purpose, in accordance with this Privacy Policy.

7. PERSONAL INFORMATION COLLECTION, USE AND SHARING BY CINGULATE

7.1. Cingulate will receive Personal Information pertaining to a Data Subject when the Data Subject submits voluntarily a query, request or comment via Cingulate's electronic platforms or forums, including but not limited to, via its website, blogs, or by way of email, telephone or via social media, to gain access to specific content, attend a hosted event or at an interview, respond to a survey, or request communications about specific areas of interest.

7.2. On receipt of the request or query, Cingulate 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;
- 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 Client or a Supplier;
- for employment application purposes;
- 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 help Cingulate improve the quality of Cingulate's products and services;
- for the purposes of research, analytical and statistical purposes;
- for the purpose of carrying out analysis and client profiling;
- for the purposes of identify other products and services which might be of interest to the Data Subjects;

7.3. In order to correctly handle any request or query, and in order to perform the purposes described above, Cingulate may from time to time share a Data Subject's Personal Information with the following parties:

- Cingulate's employees, which will only be done on a need to know basis;
- Cingulate's suppliers, which will only be done on a need to know basis;
- Cingulate's carefully selected business partners who provide products and services which may be of benefit to a Data Subject which will only be done on a need to know basis; and
- Cingulate's Operators such as service providers and agents who perform services on behalf of Cingulate (including but not limited to data processors) which will only be done on a need to know basis and in terms of a Cingulate's Operator agreement;
- To any relevant third party acquirer(s), in the event that we sell or transfer all or any portion of our business or assets.

7.4. Cingulate does not share a Data Subject's Personal Information with any third party who has not been described above, unless:

- Cingulate is legally obliged to provide such information to another for legal or regulatory purposes;
- Cingulate 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 Cingulates legitimate interests or that of the Data Subject or a third party;
- Cingulate is involved in the prevention of fraud, loss, bribery or corruption and are using another agent or service provider under a mandate to provide such service, and the agent or service provider needs to process the Data Subject's Personal Information for the purpose of investigating and or preventing any act of fraud, loss, bribery or corruption,

and under all of the abovementioned circumstances, Cingulate 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.

7.5. Where Cingulate has to transfer the Data Subject's Personal Information across the South African borders, it will before it does so, ensure that the recipient thereof agrees to be bound by POPIA under and in terms of a set of binding corporate rules or binding agreements that provide an adequate level of protection and uphold the principles for the reasonable and lawful processing of such Personal Information;

7.6. This Website may host various blogs, forums, and other social media applications or services that allow you to share content with other users (collectively “Social Media Applications”). Any personal information or other information that you contribute to any Social Media Application can be read, collected, and used by other users of that Social Media Application over whom Cingulate has little or no control. Therefore, Cingulate is not responsible for any other user’s use, misuse, or misappropriation of any personal information or other information that you contribute to any Social Media Application;

7.7. By providing Cingulate with your Personal Information, you are consenting to the disclosure described above;

7.8. A Data Subject may at any time request that Cingulate update Personal Information or discontinue sending emails or other communications generated in response to your provision of Personal Information, this can be done by contacting Cingulate as set out in Section 14.

8. RECEIPT, USE AND SHARING OF CINGULATE’S PERSONAL INFORMATION

Cingulate on receipt and in response to a query or request received from a Data Subject, referred to under Section 7 above, may transmit via its website, 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 Cingulate.

9. INFORMATION QUALITY/OPENNESS/ DATA SUBJECT PARTICIPATION

9.1. Whilst Cingulate will make every effort 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 Cingulate of any changes to his / her and its Personal Information;

9.2. A Data Subject has a right of access to any Personal Information which Cingulate may have and where applicable may ask Cingulate to correct any inaccuracies in or to any such Personal Information as set out in Section 14.

10. SECURITY OF PERSONAL DATA

- 10.1. Cingulate makes all reasonable effort to keep its social media and electronic platforms including its website secure at all times, however Cingulate advises that it cannot guarantee the security of any information provided to Cingulate or by Cingulate through Cingulate's website, e-mail, internet or social media sites. Following this Cingulate 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 Cingulates reasonable control;
- 10.2. Cingulate's website may contain links to other websites outside of Cingulate's control. Cingulate is not responsible for the content, privacy or security of these other third party controlled websites;
- 10.3. Cingulate has placed cookies on its website which makes contact with your / a Data Subject's device to help make Cingulate's social media and electronic platforms website better. This site with your consent, where required, in accordance with applicable law, collects standard internet log information including your / a Data Subject's IP address, browser type and language, access times, and referring website addresses. To ensure that this Website is well managed and to facilitate improved navigation, Cingulate or our service providers may also use Cookies, or Web beacons (electronic images that allow this Website to count visitors who have accessed a particular page and to access certain cookies) to collect aggregate data. Additional information on how we use cookies and other tracking technologies and how you can control these can be found in our **Cookie Policy**.
- 10.4. Cingulate makes use of social plugins of social networks such as Facebook, Instagram, YouTube, LinkedIn, Google+ and Twitter. Please note that Cingulate has no influence on or control over the extent of the data retrieved by the social networks' interfaces and Cingulate can accordingly not be held responsible or liable for any processing or use of Personal Information transmitted via these social plugins. For information on purpose and extent of the data retrieval by the social network concerned, and about the rights and settings which are available for you to access for the protection of your private information, please refer to the data protection information provided by the social network in question;

10.5. Subject to the provisions above, Cingulate 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, unauthorised disclosure, accidental or wilful manipulation, loss or destruction.

11. PERSONAL INFORMATION BELONGING TO MINORS

We understand the importance of protecting children's privacy in the interactive online world. This Website is not designed for or intentionally targeted at children younger than 18 years of age. It is not our policy to intentionally collect or maintain information about anyone under the age of 18.

12. DATA RETENTION

Cingulate shall only retain and store Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

13. REVISION OF POLICIES

Cingulate reserve the right to and may from time to time update this Website Privacy Policy. When we make changes to this Policy, we will amend the revision date on the cover page, and such modified or amended Website Privacy Policy shall be effective as to you and your information as of that revision date. We encourage you to periodically review this Website Privacy Policy to be informed about how we are protecting your information.

14. CONTACT DETAILS

If you have any questions or concerns regarding your privacy while using this Website, or with regards to this Website Privacy Policy, you can contact Cingulate in relation to this or any other queries by writing to us on the "Get in touch" link on our Website.