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## PRIVACY POLICY

Of

MDP EDUCATION (PTY) LTD

### 1. Introduction

1.1. This Privacy Policy tells you how we will process and protect your personal information. It should be read together with our Terms and Conditions that apply, found at: <https://www.mindbourne.com>.

1.2. MDP Education (Pty) Ltd (“MDP”, “we”, “us” or “our”) collects and processes the personal information of anyone who accesses our website and/or chooses to become our customer as well as from your day-to-day dealings with us (“you” or “your”).

1.3. By providing us with your Personal Information, you:

1.3.1. agree to this Policy and authorise us to process such information as set out herein; and

1.3.2. authorise MDP, our Service Providers and other third parties to Process your Personal Information for the purposes stated in this Policy.

1.4. Personal Information, in terms of the Protection of Personal Information Act, 4 of 2013 (“POPIA”), means “information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person”. South Africa’s Constitution, Act 108 of 1996, provides that everyone has the right to privacy. This includes the right to protection against the unlawful collection, retention, dissemination and use of your personal information.

1.5. Because of the sensitivity of some personal information, we ensure that the way we process your Personal Information complies fully with POPIA and have implemented reasonable organisational and technical controls as a result.

1.6. Our Privacy Policy terms may change from time to time. When we change them, the changes will be made on our website. Please ensure that you visit our website and regularly read this Privacy Policy.

### 2. Collection of Personal Information

#### 2.1. We may collect or obtain Personal Information about you in the following ways:

2.1.1. Through direct or active interactions with you;

2.1.2. In the course of our relationship with you;

2.1.3. Through automated or passive interactions with you;

2.1.4. When you visit / or interact with our website or our various social media platforms;

2.1.5. From third parties;

2.1.6. Public sources;

2.1.7. Employment applications;

2.1.8. CCTV; and

2.1.9. Website usage information may be collected using “cookies” which allows us to collect standard internet visitor usage information.

**2.2. Types of Personal Information we may collect:**

2.2.1. Identity information;

2.2.2. Contact information;

2.2.3. Financial information;

2.2.4. Transaction information;

2.2.5. Technical information;

2.2.6. Usage Information;

2.2.7. Location information; and

2.2.8. Marketing and communications information.

**3. Legal Basis for Processing**

**3.1. When we process your personal information in connection with the purposes set out in this Privacy Statement, we may rely on one or more of the following legal bases, depending on the purpose for which the processing activity is undertaken and the nature of our relationship with you:**

3.1.1. Your consent to the processing of your Personal Information;

3.1.2. Processing of the information is necessary for the performance of a contract or of a legal obligation;

3.1.3. Processing is necessary for the protection of our and your legitimate interests.

**4. Purposes of Processing**

4.1. We will primarily use your Personal Information only for the purpose for which it was originally collected. We will use your Personal Information for a secondary purpose only if such purpose constitutes a legitimate interest and is compatible with the primary purpose for which the Personal Information was collected.

**4.2. You agree that we may process your Personal Information for the following, but not limited to, purposes, as relevant to our relationship with you:**

4.2.1. Operating our business;

4.2.2. Complying with compulsory requirements under relevant laws;

4.2.3. to retain and make information available to you on our website;

4.2.4. to maintain and update our supplier database;

4.2.5. to establish and verify your identity on the website;

4.2.6. fraud prevention;

4.2.7. recruitment;

4.2.8. complying with information requests from the Information Regulator;

4.2.9. transfer of information to an associated third party of supplier;

4.2.10. to conduct market research surveys and other marketing activities; and

4.2.11. for security, administrative and legal purposes.

4.3. We may also collect and process aggregated data, which may include historical or statistical data for any purpose, including for know-how and research purposes.

4.4. We will not intentionally collect and process the Personal Information of a child unless we have the permission of a guardian or competent person (as defined by POPIA).

## **5. Sharing of Personal Information**

5.1. For us to carry out our obligations and for legitimate business purposes, we may need to pass your personal information on to third parties, such as our service providers. This Privacy Policy records your consent to us passing your Personal Information onto those third parties.

5.2. We will ensure that your Personal Information is processed in a lawful manner and that the third parties or we do not infringe your privacy rights. If we ever outsource the processing of your Personal Information to a third-party operator, we will ensure that the operator processes and protects your Personal Information using reasonable technical and organisational measures that are equal to or better than ours.

5.3. We may also disclose your Personal Information to third parties if we are under a duty to disclose or share such information to comply with any legal obligation or to protect the rights, property, or safety of MDP, its customers and others.

## **6. International Transfer of Personal Information**

6.1. We will not ordinarily transfer any Personal Information collected from you outside the borders of South Africa.

6.2. If we transfer or store your Personal Information outside South Africa, we will take all steps reasonably necessary to ensure that the third party who receives your Personal Information is subject to a law or binding agreement which provides an adequate level of protection.

## **7. Data Security**

7.1. We have implemented appropriate technical and organisational security measures to protect your Personal Information that is in our possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, in accordance with applicable law.

## **8. Payment Security**

8.1. The payment pages that MDP will use are protected as prescribed by the PCI-DSS standards.

8.2. Any credit card would be asked for 3D secure enrolment if not already enrolled with the issuer to process transactions with authentication from the cardholder issuing bank.

8.3. No card entry would be possible on the MDP web shopping cart as all card traffic will be securely posted to the payment pages.

8.4. No credit card data will be stored.

8.5. No unauthorized access to the payment pages site will be permitted. Only MDP as a known entity will be allowed to direct encrypted payloads to the payment pages.

## **9. Data Retention**

9.1. We will retain your personal information for as long as is necessary to fulfil the purpose for which it was collected unless a longer retention period is required to comply with legal obligations or another legitimate obligation, unless we have your consent to process it indefinitely.

## **10. Data Accuracy**

10.1. The Personal Information provided to us should be accurate, complete and up to date. Should Personal Information change, the onus is on the provider of such data to notify us of the change and provide us with the accurate data.

## **11. Data Minimisation**

11.1. We will restrict its processing of Personal Information to data which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose for which it was collected.

## **12. Your Rights under this Privacy Policy**

### **12.1. You have the right to have your personal information processed lawfully. Your rights include the right:**

12.1.1. to be notified that your Personal Information is being collected or that your Personal Information has been accessed or acquired by an unauthorised person e.g. where a hacker may have compromised our computer system;

12.1.2. to find out whether we hold your Personal Information and to request access to your Personal Information;

12.1.3. to request us, where necessary, to correct, destroy or delete your Personal Information;

12.1.4. to object, on reasonable grounds, to the processing of your Personal Information;

12.1.5. to object to the processing of your Personal Information for purposes of direct marketing, including by way of unsolicited communications;

12.1.6. not to be subject, in certain circumstances, to a decision which is based solely on the automated processing of your Personal Information;

12.1.7. to submit a complaint to the Regulator if you believe that there has been interference with the protection of your Personal Information; and

12.1.8. to institute civil proceedings against us if you believe that we have interfered with the protection of your Personal Information.

## **13. Direct Marketing**

**13.1. We may process Personal Information for the purpose of direct marketing and providing you with information that may be of interest to you. We will only send you direct marketing materials if you have specifically opted-in to receive these materials, or if you are a customer of ours, always in accordance with applicable laws.**

13.2. You may unsubscribe at any time.

13.3. If you opt out of receiving marketing related communications from us, we may still send you administrative messages which is necessary as part of our services.

## **14. Contact Details of the Information Regulator and Queries**

14.1. You may contact our Information Officer at: [leanne@mindbourne.com](mailto:leanne@mindbourne.com)

### **14.2. You may contact the Information Regulator at:**

14.2.1. Information Regulator

<https://www.justice.gov.za/inforeg/index.html>

Tel: 012 406 4818

Fax: 086 500 3351

Email: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)