

# Privacy and Data Protection Policy

Effective 5 April 2024

**We encourage you to read our Privacy & Data Protection Policy and make use of our services in an informed manner**

## Introduction

Cela App (Pty) Ltd values your privacy, we are committed to ensuring the protection of your data.

The aforesaid App and Website are propriety of Cela App (Pty) Ltd (the "Company"), a company registered in the Republic of South Africa under company registration number 2024/260381/07, which has its registered address at 29 Bright Street, Somerset West, Cape Town, South Africa, 7130.

This Privacy and Data Protection Policy being issued on behalf of the Company, so when mention is made of "Cela", "we", "us" or "our" in this policy, same is referring to Cela App (Pty) Ltd.

Your use of our services or access to the Platform, as defined below, confirms your consent to our collection and use of your Personal information, as defined below.

This policy explains how we **collect, use, retain, transfer, process, share and protect** any information which you provide us with per use of our App and/or website [www.celaconnect.com](http://www.celaconnect.com) (hereinafter also referred to as the "Platform"). It is important that you carefully read this policy together with any other data protection notice or privacy or fair processing policy which we may give on specific occasions in collecting or processing personal data about you, so that you are fairly and accurately informed of how and why we are using your data.

**Personal Information** means information which can identify you as an individual. Therefore, not general, statistical, aggregated or anonymised information. Various types of information are received from you when you access the Platform, this includes personal information as defined in the Protection of Personal Information Act 4 of 2013 ("POPI"), the Promotion of Access to Information Act 2 of 2000 ("PAIA"), and as detailed in section 1 of Electronic Communications and Transactions Act 25 of 2002 ("ECTA").

This policy may be amended from time to time by updating this page without notice. It is your responsibility to verify any changes which may have been made periodically, as your continued use will imply consent. Nonetheless, we will notify you before we make material changes to this Policy. You will have the opportunity to review the revised terms prior to the continued use of our Services.

Kindly note, the unauthorised use, reproduction, copying, modification, variation and/or distribution of the contents of our Platform, the uploading of any information which is against public policy, the law, or is damaging in any way, a viral software, or the creation of any links to our Platform from any other website is prohibited in full.

We reserve the right to:

- Restrict your use and access to our Platform in the event of any unauthorised use
- Suspend our Platform or any part thereof
- Terminate your account at any time if we believe that the information supplied by you is false or incomplete

### **Why do we collect, process and share your Personal Data?**

The primary use of information collected is to offer a personalised experience, including ads, along with further purposes as detailed below:

- To provide, personalise and improve our Service
- To promote safety, security, and integrity
- To provide measurement, analytics, and business services
- To communicate with you
- To research and innovate for social good
- To meet our contractual obligations with you
- To send you your orders and confirm that your orders have been received
- To validate you as a customer when using our services and calling our help desk
- To prevent and detect criminal activity, fraud, and misuse of or damage to our services or networks

For any information or data given by you via use or access to our Platform which can be utilized in identifying you, be assured that it will only be used in accordance with this policy. We do not sell any of your information. We also require partners and other third parties to follow rules about how they can and cannot use and disclose the information we provide.

The processing of your Personal Information as further described below is necessary to respect our contractual obligations to you, to comply with our legal obligations, or to protect our legitimate interests in providing our services. Our legitimate interests may include providing you and others with a secure environment, analysing, improving, and better tailoring our products and services, being more efficient, fulfilling any contracts you have with us and/or helping to prevent fraud.

We may share your personal data with the parties set out below for the purposes set out in the table 'Purposes for which we will use your personal data' below. They encompass Internal Third Parties, including entities within the Cela App (Pty) Ltd, External Third Parties, including Yoyo and card payment gateway providers, Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Further examples of use cases, related type of data and the basis for processing are highlighted in the table below:

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new user	(a) Identity (b) Contact (c) Birthday	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation

To deliver relevant Platform content and advertisements to you and measure or understand the effectiveness of the advertising we facilitate to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

### **What information do we collect?**

Further to the aforementioned data types and whilst other information is optional, we require certain information in order for our services to properly function. However, without it the value of your experience might be affected. Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (de-identified information).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Payment Information** including your credit or debit card details, bank account information, and payment or other information required when you make a purchase using this website
- **Contact Data** includes billing address, delivery address, email address and telephone numbers
- **Verification Information** including Your personal photograph, photo ID or government issued identification number, and date of birth
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us
- **Communications** and any other information that you intentionally share, send, or receive via the Platform, including your e-mail, SMS, WhatsApp, requests made through feedback platforms, automated chatbots or similar technology, and any other information you choose to share with us — including your photos, videos, blog entries, interests, hobbies, lifestyle

choices, and groups with which you are affiliated — and that you send or receive using the Platform

- **Device and Usage Information**, including information about your computer or device and internet or other electronic network activity information
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website
- **Usage Data** includes information about how you use our website, products and services
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### **Change of Purpose?**

We will only use your personal data for the purposes for which we have collected it, unless we reasonably consider that another use reason becomes necessary and that reason is compatible with the original purpose. If you wish to receive an explanation as to how the processing for the new purpose is compatible with the original purpose, kindly contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the basis which permits us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where it is required or permitted by law.

### **If you fail to provide Personal Data?**

You may choose not to provide certain Personal Information, but that may limit the services or products that you may wish to obtain from us.

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case,

we may have to cancel the contract (in part or in full) you have with us but we will notify you if this is the case at the time.

### **How do we collect your Personal Data?**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data when/where:

- You provide Personal Information to us in creating an account with us
- You provide Personal Information to us when communicating with us
- You provide Personal Information to us when interacting with our website
- You enter a competition or participate in a promotion, we will ask for relevant Personal Information
- You give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise
- You purchase a product through our Platform
- You subscribe to our service or publications
- You request marketing to be sent to you
- You give us feedback or contact us

Further, via Automated technologies or interactions, as you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. We will also receive personal data about you from various third parties and/or public sources

### **Links to Websites?**

Our Platform may contain links to other Apps or sites of interest. Once you have used these links to leave our website we do not have any control over that other website. Therefore, we cannot be held responsible for the protection and privacy of any information which you provide whilst visiting such other sites and please note that such websites are not governed by this privacy policy. Kindly exercise care and review the policies applicable.

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

### **Third Parties?**

We also share information with other third parties in response to legal requests, to comply with applicable law or to prevent harm.

And if we sell or transfer all or part of our business to someone else, in some cases we'll give the new owner your information as part of that transaction, but only as the law allows.

Despite terms to the contrary, we may choose to use Personal Information to compile profiles for statistical purposes and may choose to trade with such profiles and statistical data, as long as the profiles or statistical data cannot be linked to any specific data subject, including you, by a third party.

Your Information, that is required by affiliates and subsidiaries to give effect to transactions that you choose to enter into, is shared with those entities. By placing an order with us, you consent to sharing personal information amongst our service providers (some listed below). We provide relevant Personal Information to the following categories of third parties:

- Our Platform & certain payment service providers
- Our inventory and order management platform provider
- Our accounting platform provider
- Our customer relationship management platform provider
- Our service desk platform provider
- Our transactional email platform provider
- Our email marketing platform provider
- Our data or third-party data backup providers, which may include Google and Amazon Web Services
- Our logistics platform providers and partners, required for the delivery of products that You order

#### **How can you manage your privacy preferences?**

If you would like us to stop processing or storing your Personal Information for any reason, please write to us at [info@celaconnect.com](mailto:info@celaconnect.com) allowing us 10 working days to complete your request. You may also write to us to request what Personal Information we currently hold of yours.

#### **How can you manage or delete your information and exercise your rights?**

We offer you tools to view, manage, download and delete your information below. You can also manage your information by visiting the settings of the Products you use. You may also have other privacy rights under applicable laws.

To exercise your rights, visit your Account settings and your device-based settings, or contact us directly.

You can contact us online or by mail at:

Full name of legal entity: **Cela App (Pty) Ltd**

Email address: **info@celaconnect.com**

Postal address: 29 Bright Street, Somerset West, Cape Town, South Africa, 7130

Telephone number: **083 535 9492**

#### **How long do we keep your information?**

We keep information as long as we need it to provide our Services, comply with legal obligations or protect our or other's interests. We decide how long we need information on a case-by-case basis. Here's what we consider when we decide:

- If we need it to operate or provide our Service. For example, we need to keep some of your information to maintain your account.
- The feature we use it for, and how that feature works. For example, messages sent using our vanish mode are retained for less time than regular messages.
- How long we need to retain the information to comply with certain legal obligations.
- If we need it for other legitimate purposes, such as to prevent harm; investigate possible violations of our terms or policies; promote safety, security and integrity; or protect ourselves, including our rights, property or products

In some instances and for specific reasons, we'll keep information for an extended period of time.

The time periods for which we keep your Personal Information may vary according to the use or purpose attached to the information. Unless there is a specific legal requirement requiring us to keep your information, however, we will not keep it for longer than necessary for the purpose for which the information was collected or for which it is to be processed.

### **How do we safeguard your information?**

We rely on appropriate mechanisms for international data transfers.

We also make sure that appropriate safeguards are in place whenever we transfer your information. For example, we encrypt your information when it's in transit over public networks to protect it from unauthorized access.

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

### **How do we respond to legal requests, comply with applicable law and prevent harm?**

We access, preserve, use and share your information:

- In response to legal requests, like search warrants, court orders, production orders or subpoenas. These requests come from third parties such as civil litigants, law enforcement and other government authorities. Learn more about when we respond to legal requests.
- In accordance with applicable law
- To promote the safety, security and integrity of Cela Products, users, employees, property and the public
- We may access or preserve your information for an extended amount of time.

## **YOUR LEGAL RIGHTS**



Under certain circumstances, you have rights under data protection laws in relation to your personal data, including the right to request access your personal data and the right to request the correction or deletion of your personal data.

If you wish to exercise any of the rights set out above, please contact our Information Officer.

## **YOUR RIGHTS**

### *Right to access*

You have the right to request access to any of your personal information that we hold.

### *Right to rectification and deletion*

You have the right to request correction of any inaccurate data relating to you. You have the right to request that we delete your personal information under certain circumstances: if it is inaccurate, irrelevant, excessive, out-of-date, incomplete, misleading or has been obtained unlawfully.

### *Right to withdraw consent*

Where we have relied on your consent to process particular information and you have provided us with your consent to process data, you have the right to withdraw such consent at any time.

### *Right to object to processing justified on legitimate interest grounds*

Where we are relying upon legitimate interest to process data, then you have the right to object to that processing. If you object, we must stop that processing unless we can either demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms or where we need to process the data for the establishment, exercise or defence of legal claims.

Where we rely upon legitimate interest as a basis for processing we believe that we can demonstrate such compelling legitimate grounds, but we will consider each case on an individual basis.

### *Right to lodge a complaint*

Should you have any issues, concerns or problems in relation to your data, or wish to notify us of data which is inaccurate, please let us know by contacting us using the

contact details above. In the event that you are not satisfied with our processing of your personal data, you have the right to lodge a complaint with the relevant regulatory authority detailed in the “Who is responsible for my data?” section.

We ask that you please attempt to resolve any issues with us before contacting any supervisory authority. For further information regarding your rights, or to exercise any of your rights, please contact [info@celaconnect.com](mailto:info@celaconnect.com)