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## **INFORMATION MANUAL**

**IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT, NO. 2 OF 2000, ("PAIA"), AND SECTION 18 OF  
THE PROTECTION OF PERSONAL INFORMATION ACT, NO. 4 OF 2013,  
("POPI") COMPILED FOR:**

**PAPERPACKAGINGPLACE (PTY) LTD**

with Registration Number 2015/248134/07

**("the Private Body")**

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## 1 INTRODUCTION

- 1.1 This Information Manual is published in terms of section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”), as amended by the Protection of Personal Information Act, No. 4 of 2013, (“POPI Act”) as well as section 18 of the POPI Act.
- 1.2 PAIA gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.
- 1.3 The POPI Act gives effect to the provisions of, inter alia, Section 14 of the Constitution, which provides for the right to privacy of all persons.
- 1.4 The information provided in this manual includes:
- 1.4.1 contact details of the Head, as defined in PAIA, of the Private Body;
  - 1.4.2 a description of the guide referred to in section 10 of PAIA, (which is a guide which was produced by the Human Rights Commission and after 1 July 2021 shall be made available and amended, from time to time, by the Information Regulator defined in POPI) dealing with access to information;
  - 1.4.3 a description of the records of the Private Body which are available in terms of any legislation other than the PAIA;
  - 1.4.4 a description of the subjects on which the Private Body holds records and the categories of records held on each subject;
  - 1.4.5 a description of the subjects on which the Private Body holds personal information and the categories of personal information held on each subject;
  - 1.4.6 the purpose of processing personal information;
  - 1.4.7 the recipients to whom the personal information may be supplied;
  - 1.4.8 planned transborder flows of information (if applicable);
  - 1.4.9 a general description of the security measures in place to ensure the confidentiality, integrity, and availability of the information to be processed;



- 1.4.10 sufficient information so as to facilitate a request for access to a record of the Private Body;
- 1.5 The reference to any information in addition to that specifically required in terms of section 51 of PAIA and section 18 of the POPI Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of PAIA and the POPI Act.
- 1.6 The main aim of this manual is to:
- 1.6.1 disclose the types of records held by the Private Body and to facilitate the requests for access to records of the Private Body, as permitted by PAIA (dealt with in Part A hereof);
- 1.6.2 make data subjects aware of the type and source of information being collected, the purpose of collecting and processing such information and related matters (dealt with in Part B hereof).

This manual may be updated from time to time and shall be made available on the Private Body's website and/or at its principal place of business, to any person on request, subject to the payment of a reasonable fee and to the Information Regulator.

## 2 **DEFINITIONS AND INTERPRETATION**

- 2.1 In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention:
- 2.2 An expression which denotes -
- 2.2.1 any gender includes the other genders;
- 2.2.2 a natural person includes an artificial or juristic person and vice versa;
- 2.2.3 the singular includes the plural and vice versa;
- 2.3 The following expressions shall bear the meanings assigned to them below and similar expressions bear corresponding meanings:



- 2.3.1 **"data subject"** means the person to whom personal information relates;
- 2.3.2 **"Personal Information"** means information relating to an identifiable living, natural person, and where it is applicable, an identifiable existing juristic person;
- 2.3.3 **"this document"** or **"this manual"** means this information manual, together with all of its annexures, as amended from time to time;
- 2.3.4 **"the Private Body"** means the private body to which this manual applies with their details as they appear on the front page of this manual;
- 2.3.5 **"requester"** means a person or entity requesting access to a record that is under the control of the Private Body.
- 2.4 Any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time;
- 2.5 If any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this manual;
- 2.6 Where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this manual;
- 2.7 Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding business day;
- 2.8 Any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months or years, as the case may be or as is otherwise defined in any legislation;
- 2.9 The use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the eiusdem generis rule shall not be applied in the interpretation of such general wording or such specific example/s;
- 2.10 Insofar as there is a conflict in the interpretation of or application of this manual and PAIA or the POPI Act, PAIA or the POPI Act shall prevail;



2.11 This manual does not purport to be exhaustive of or comprehensively deal with every procedure provided for in PAIA or all rights listed under the POPI Act. The reader relying on any provisions of this Manual is advised to familiarise his/her/itself with the provisions of PAIA and the POPI Act.

3 **CONTACT DETAILS OF THE PRIVATE BODY** – Section 51(1)(a)(i) of PAIA and section 18 (1)(b) of the POPI Act

3.1 Head of the Private Body: Samantha Jane Selesnick.

3.2 Postal Address of Head of the Private Body: P.O. Box 2719, Cramerview, 2060.

3.3 Street Address of Head of the Private Body: 6 Pigeon Place, Norsot Slopes, Fourways, Johannesburg, Gauteng, Republic of South Africa.

3.4 Telephone Number of Head of the Private Body: 0822146025.

3.5 Email of Head of the Private Body: samantha@paperpackagingplace.com.



# PART A: PROMOTION OF ACCESS TO INFORMATION

## 4 GUIDE ON HOW TO EXERCISE RIGHTS IN TERMS OF PAIA– Section 51(1)(b)(i) of PAIA

4.1 The Human Rights Commission (“the HRC”) has compiled a guide, as contemplated in section 10 of PAIA, containing information to assist any person who wishes to exercise any right as contemplated in PAIA.

4.2 The contact details of the HRC are as follows:

4.2.1 Postal address: Private Bag 2700, Houghton, 2041

4.2.2 Telephone: +27 11 484 8300

4.2.3 Telefax: +27 11 484 0582

4.2.4 Website: [www.sahrc.org.za](http://www.sahrc.org.za)

4.2.5 Email: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

4.3 The guide is also available electronically at

<https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>

4.4 With effect from 1 July 2021, the Information Regulator, (“IR”) must update and make available the existing guide that had previously been compiled by the HRC containing information in an easily comprehensible form and manner as may reasonable be required by a person who wishes to exercise any right contemplated in PAIA and POPI.

4.5 The contact details of the IR are as follows:

4.5.1 Physical address: Braampark, Forum 3, 33 Hoof Street, Braampark, Johannesburg, 2017

4.5.2 Postal Address: P.O Box, 31533



- 4.5.3 Telephone: +27 10 023 5200
- 4.5.4 Telefax: +27 86 500 3351
- 4.5.5 Website: [www.justice.gov.za/inforeg/contact.html](http://www.justice.gov.za/inforeg/contact.html)
- 4.5.6 Email: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za).

**5 RECORDS AVAILABLE IN TERMS OF LEGISLATION OTHER THAN PAIA AND POPI – Section 51(1)(b)(iii) of PAIA**

5.1 Some of the records held by the Private Body are available in terms of legislation other than PAIA or POPI, which legislation is listed below. Records that must be made available in terms of these Acts shall be made available in terms of the requirements of PAIA and this manual. That legislation includes:

- 5.1.1 THE COMPANIES ACT, NO. 71 OF 2008
- 5.1.2 INCOME TAX ACT, NO. 58 OF 1962
- 5.1.3 VALUE ADDED TAX ACT, NO. 89 OF 1991
- 5.1.4 LABOUR RELATIONS ACT, NO. 66 OF 1995
- 5.1.5 BASIC CONDITIONS OF EMPLOYMENT ACT, NO. 75 OF 1997
- 5.1.6 SKILLS DEVELOPMENT LEVIES ACT, NO. 9 OF 1999
- 5.1.7 UNEMPLOYMENT INSURANCE ACT, NO. 63 OF 2001
- 5.1.8 ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT, NO. 25 OF 2002
- 5.1.9 ELECTRONIC COMMUNICATIONS ACT, NO. 36 OF 2005
- 5.1.10 CONSUMER PROTECTION ACT, NO. 68 OF 2008
- 5.1.11 BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT, NO. 53 OF 2003
- 5.1.12 any other industry applicable legislation.





6 **DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS** – Section 51(1)(b)(iv) of PAIA

- 6.1 The Private Body holds various records. The subjects on which the Private Body holds records and the categories of records held by the Private Body are reproduced in the tables below.
- 6.2 The listing of a category or subject matter in this manual does not guarantee access to such records. All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA and other applicable legislation. A request for records shall be made in the prescribed form set out later in this manual under the heading “FORM OF REQUEST FOR RECORDS”.



<b>RECORD SUBJECTS: INTERNAL ADMINISTRATION, COMPLIANCE AND MANAGEMENT</b>
<b><u>Categories of records held:</u></b>
Records relating to the creation and/or registration of the Private Body
Internal auditing and risk
Legislative compliance
Regulatory reports



<b>RECORD SUBJECTS: HUMAN RESOURCES</b>
<b><u>Categories of records held:</u></b>
Any personal records provided to the Private Body by their employees
List of employees
Conditions of employment and other employee-related contractual and quasi-legal records
Employee tax and insurance fund information including unemployment insurance fund contributions, group life, disability and income protection
Pension and provident fund records
Health and Safety records
Codes of conduct as well as the relevant disciplinary codes and procedures
All internal policies applicable and accessible to the employees
Any records a third party has provided to the Private Body about any of their employees
Other internal records and correspondence relating to employees



<b>RECORD SUBJECTS: FINANCE</b>
<b><u>Categories of records held:</u></b>
Financial statements and other accounting records
Accounting reports
Taxation records
Debtors and creditors records
Insurance records
Banking statements



<b>RECORD SUBJECTS: CLIENT RECORDS</b>
<b><u>Categories of records held:</u></b>
Any records a client has provided to the Private Body or a third party acting for or on behalf of the Private Body
Personal records of clients
Any records a third party has provided to the Private Body about clients
Any records a third party has provided to the Private Body either directly or indirectly
Records generated by or within the Private Body pertaining to clients, including transactional records



<b>RECORD SUBJECTS: SERVICE PROVIDERS, SUPPLIERS AND THIRD PARTIES</b>
<b><u>Categories of records held:</u></b>
Lists of service providers and suppliers
Service providers' and suppliers' terms and conditions
Records kept in respect of other third parties, including without limitation joint venture partners, which includes records, falling within the subjects contemplated in this part of the manual, which can be said to belong to the Private Body but which are held by such third party



<b>RECORD SUBJECTS: ASSETS</b>
<b><u>Categories of records held:</u></b>
Register of assets (movable or immovable)
Insurance records relating to the assets



<b>RECORD SUBJECTS: OTHER RECORDS</b>
<b><u>Categories of records held:</u></b>
Information technology including information systems, network security, software licenses, technology asset
Internal communication





## 7 FORM OF REQUEST FOR RECORDS

- 7.1 A request for records shall be accompanied by adequate proof of identity of the applicant, (such as a certified copy of his/her identity document), and made using the prescribed form, a copy of which is attached hereto and marked annexure "A" ("the prescribed form"). The prescribed form is also available from the website of the Human Rights Commission at <https://www.sahrc.org.za>, or the website of the Department of Justice and Constitutional Development at <https://www.doj.gov.za> and as may be advised by the Information Regulator on or after 1 July 2021.
- 7.2 The prescribed form shall be submitted to the Private Body Head named in clause 3 hereof.
- 7.3 The above procedure shall apply in the event that the requester is requesting information for personal use and/or on behalf of another person, even if such other person is a permanent employee of the Private Body.
- 7.4 The Head of the Private Body shall as soon as reasonably possible, and within 30 (thirty) days after the request has been received, decide whether or not to grant such request.
- 7.5 The requester will be notified of the decision of the Head of the Private Body or the General Manager in the manner indicated by the requester.
- 7.6 After access is granted, actual access to the record requested will be given as soon as reasonably possible.
- 7.7 If the request for access is refused, the Head of the Private Body or the General Manager shall advise the requester in writing of the refusal. The notice of refusal shall state:
- 7.7.1 adequate reasons for the refusal; and
  - 7.7.2 that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.
- 7.8 If the Head of the Private Body or the General Manager fails to respond within 30 (thirty) days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of PAIA, that the Head of the Private Body or the General Manager has refused the request.



**8 FEES PRESCRIBED IN TERMS OF THE REGULATIONS – Section 51(1)(f) of PAIA**

8.1 The following applies to requests (other than personal requests):

8.1.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;

8.1.2 If the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

8.1.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

8.2 Records may be withheld until the fees have been paid.

8.3 The fee structure shall be available by way of regulations published from time to time.

8.4 In addition to the request fee, the following reproduction fees are prescribed by the Minister in respect of private bodies such as the Private Body:

<b>DESCRIPTION:</b>	<b>FEE:</b>
For every photocopy of an A4-size page or part thereof:	<b>R1.10</b>
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form:	<b>R0.75</b>
For a copy in a computer-readable form on compact disc:	<b>R70</b>

DESCRIPTION:	FEE:
(i) For a transcription of visual images, for an A4-size page or part thereof: (ii) For a copy of visual images:	(i) R20 (ii) R60
(iii) For transcription of an audio record, for an A4-size page or part thereof: (iv) For a copy of an audio record:	(iii) R20 (iv) R30
To search for the record for disclosure:	R30 for each hour or part of an hour reasonably required for such search.

8.5 The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

8.6 For purposes of section 54(2) of the Act, the following applies:

8.6.1 Six hours as the hours to be exceeded before a deposit is payable; and

8.6.2 one third of the access fee is payable as a deposit by the requester.

8.7 The actual postage is payable when a copy of a record must be posted to a requester.

# PART B: PROTECTION OF PERSONAL INFORMATION

9 **PROTECTION OF PERSONAL INFORMATION** - Section 51(1)(c)(i)-(iii) of PAIA read with section 18 of the POPI Act

9.1 The Private Body processes certain personal information, as defined in the POPI Act, (“Personal Information”) relating to several data subjects, from time to time. A data subject is the person, (natural or juristic), to whom Personal Information relates and from whom the Private Body collects and processes information.

9.2 A description of the data subjects, (individuals and juristic persons), the information relating thereto, the purpose of processing that information and the recipients of that Personal Information is reproduced in the tables below.

<b>DATA SUBJECTS: EMPLOYEES</b>		
<b><u>Personal Information processed:</u></b>	<b><u>Source of the Personal Information</u></b>	<b><u>Is the supply of Personal Information mandatory or voluntary?:</u></b>



<b>DATA SUBJECTS: EMPLOYEES</b>		
Information relating to the education or the medical, financial, criminal or employment history of the person	JOB APPLICATION	Mandatory
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	EMPLOYMENT CONTRACT	Mandatory
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	IRP5, SKILLS DEVELOPMENT	Mandatory
<b>Will any of the Personal Information be transferred to another country or international organisation?</b>		
No		
<b><u>Purpose of processing Personal Information:</u></b>		
Compliance with SARS, BEE, SETA, UIF, Workmans Compensation Fund		

<b>DATA SUBJECTS: EMPLOYEES</b>
<b><u>Recipient or categories of recipients to whom the Personal Information is supplied:</u></b>
SARS PAYE, BEE Varification Agency, Skill Development Facilitator, Payroll, UIF declarations.
<b><u>The consequences of failure to provide information:</u></b>
Mandatory compliance with all of the above, failing which we would be subject to fines and penalties due to non-compliance

<b>DATA SUBJECTS: CLIENTS/CUSTOMERS</b>		
<b><u>Personal Information processed:</u></b>	<b><u>Source of the Personal Information</u></b>	<b><u>Is the supply of Personal Information mandatory or voluntary?:</u></b>
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	Provided by customer	Mandatory

<b>DATA SUBJECTS: CLIENTS/CUSTOMERS</b>		
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	Provided by customer	Voluntary
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	Provided by customer	Mandatory
<b>Will any of the Personal Information be transferred to another country or international organisation?</b>		
Yes		
<b>Description of the level of protection afforded to the Personal Information by such other country or international organisation.</b>		



MAILCHIMP - Updated May 13, 2021 Mailchimp takes data privacy seriously. This privacy policy explains who we are, how we collect, share and use Personal Information, and how you can exercise your privacy rights. We recommend that you read this privacy policy in full to ensure you are fully informed. However, to make it easier for you to review the parts of this privacy policy that apply to you, we have divided up the document into sections that are specifically applicable to Members (Section 2), Contacts (Section 3), and Visitors (Section 4). Sections 1 and 5 are applicable to everyone. If you have any questions or concerns about our use of your Personal Information, then please contact us using the contact details provided at the end of Section 5. To the extent we provide you with notice of different or additional privacy policies, those policies will govern such interactions.

TRUSTe 1. The Basics A. About Us Mailchimp is an online marketing platform operated by The Rocket Science Group LLC, a company headquartered in the State of Georgia in the United States ("we," "us," "our," and "Mailchimp"). Our Service enables our Members to, among other things, send and manage email campaigns across channels, serve advertisements, and create Websites and Landing Pages. We also provide other related services, such as real-time data analytics and insights to help our Members track and personalize their marketing activities. Find out more about our Service here. B. Key Terms In this privacy policy, these terms have the following meanings: "Affiliate" means an entity that directly or indirectly Controls, is Controlled by or is under common Control with an entity. "Contact" is a person a Member may contact through our Service. In other words, a Contact is anyone on a Member's Distribution List about whom a Member has given us information or is anyone who has otherwise interacted with a Member via the Service. For example, if you are a Member, a subscriber to your email marketing campaigns or a shopper to your Website or Landing Page would be considered a Contact. "Control" means an ownership, voting or similar interest representing fifty percent (50%) or more of the total interests then outstanding of the entity in question. The term "Controlled" shall be construed accordingly. "Distribution List" is a list of Contacts a Member may upload or manage on our platform and all associated information related to those Contacts (for example, email addresses). "Mailchimp Site(s)" has the meaning given to it in our Standard Terms of Use. "Member" means any person or entity that is registered with us to use the Service. "Mobile App(s)" means any one or all of the Mailchimp applications available for Members to use on their mobile devices. "Personal Information" means any information that identifies or can be used to identify an individual directly or indirectly. Examples of Personal Information



include, but are not limited to, first and last name, date of birth, email address, gender, occupation, or other demographic information. "Service" has the meaning given to it in our Standard Terms of Use. "Visitor" means, depending on the context, any person who visits any of our Mailchimp Sites, offices, or otherwise engages with us at our events or in connection with our marketing or recruitment activities. "you" and "your" means, depending on the context, either a Member, a Contact, or a Visitor.

2. Privacy for Members This section applies to the Personal Information we collect and process from a Member or potential Member through the provision of the Service. If you are not a Member, the Visitors or Contacts section of this policy may be more applicable to you and your data. In this section, "you" and "your" refer to Members and potential Members.

A. Information We Collect The Personal Information that we collect depends on the context of your interactions with Mailchimp, your Mailchimp account settings, the products and features you use, your location, and applicable law. However, the Personal Information we collect broadly falls into the following categories:

(i) Information you provide to us: You (or your organization) may provide certain Personal Information to us when you sign up for a Mailchimp account and use the Service, consult with our customer service team, send us an email, integrate the Service with another website or service (for example, when you choose to connect your e-commerce account with Mailchimp), or communicate with us in any other way. This information may include: Business contact information (such as your name, job title, organization, location, phone number, email address, and country); Marketing information (such as your contact preferences); Account log-in credentials (such as your email address or username and password when you sign up for an account with us); Troubleshooting and support data (which is data you provide or we otherwise collect in connection with support queries we receive from you. This may include contact or authentication data, the content of your chats and other communications with us, and the product or service you are using related to your help inquiry); and Payment information (including your credit card numbers and associated identifiers and billing address).

(ii) Information we collect automatically: When you use the Service, we and our third-party partners may automatically collect or receive certain information about your device and usage of the Service (collectively "Service Usage Data"). In some (but not all) countries, including countries in the European Economic Area ("EEA"), this information is considered Personal Information under applicable data protection laws. We and our third-party partners use cookies and other tracking technologies to collect some of this information. If you are using our



Mobile App, we may collect this information using our software development kits (“SDKs”) or APIs the first time the SDK or API is initiated on your Mobile App. For further information, please review the section below and our Cookie Statement available here. Service Usage Data may include:

**Device information:** We collect information about the device and applications you use to access the Service, such as your IP address, your operating system, your browser ID, viewfinder size, and other information about your system and connection. If you are using our Mobile App, we may also collect information about the cellular network associated with your mobile device, your mobile device’s operating system or platform, the type of mobile device you use, your mobile device’s name and unique device ID, and information about the features of our Mobile App that you accessed.

**Log data:** Our web servers keep log files that record data each time a device accesses those servers and the nature of each access, including originating IP addresses and your activity in the Service (such as the date/time stamps associated with your usage, pages and files viewed, searches and other actions you take (for example, which features you used)), device event information (such as system activity, error reports (sometimes called ‘crash dumps’)), and hardware settings. We may also access metadata and other information associated with files that you upload into our Service.

**Usage data:** We collect usage data about you whenever you interact with our Service, which may include the dates and times you access the Service and your browsing activities (such as what portions of the Service you used, session duration, links clicked, non-sensitive text entered, and mouse movements). We also collect information regarding the performance of the Service, including metrics related to the deliverability of emails and other communications you send through the Service. If you are using our Mobile App, we may collect information about how often you use the Mobile App and other performance data. This information allows us to improve the content and operation of the Service, and facilitate research and analysis of the Service. (iii)

**Information we collect from other sources:** From time to time, we may obtain information about you from third-party sources, such as public databases, social media platforms, third-party data providers, and our joint marketing partners. Examples of the information we receive from other sources include demographic information (such as age and gender), device information (such as IP addresses), location (such as city and state), and online behavioral data (such as information about your use of social media websites, page view information and search results and links). We use this information, alone or in combination with other Personal Information we collect, to enhance our ability to provide relevant marketing and content to

you and to develop and provide you with more relevant products, features, and service. B. Use of Personal Information We may use the Personal Information we collect or receive through the Service (alone or in combination with other data we source) for the purposes and on the legal bases identified below: To bill and collect money owed to us by you to perform our contract with you for the use of the Service or where we have not entered into a contract with you, in accordance with our legitimate interests to operate and administer our Service. This includes sending you emails, invoices, receipts, notices of delinquency, and alerting you if we need a different credit card number. We use third parties for secure credit card transaction processing, and those third parties collect billing information to process your orders and credit card payments. To learn more about the steps we take to safeguard that data, see the "Our Security" section of this privacy policy. To send you system alert messages in reliance on our legitimate interests in administering the Service and providing certain features. For example, we may inform you about temporary or permanent changes to our Service, such as planned outages, or send you account, security or compliance notifications, such as new features, version updates, releases, abuse warnings, and changes to this privacy policy. To communicate with you about your account and provide customer support to perform our contract with you for the use of the Service or where we have not entered into a contract with you, in reliance on our legitimate interests in administering and supporting our Service. For example, if you use our Mobile Apps, we may ask you if you want to receive push notifications about activity in your account. If you have opted in to these push notifications and no longer want to receive them, you may turn them off through your operating system. To enforce compliance with our Standard Terms of Use and applicable law, and to protect the rights and safety of our Members in reliance on our legitimate interest to protect against misuse or abuse of our Service and to pursue remedies available. This may include developing tools and algorithms that help us prevent violations. For example, sometimes we review the content our Members send or display to ensure it complies with our Standard Terms of Use. To improve that process, we have software that helps us find content that may violate our Standard Terms of Use. We may or our third-party service provider may also review content that our Members send or display. This benefits all Members who comply with our Standard Terms of Use because it reduces abuse and helps us maintain a reliable platform. Please do not use Mailchimp to send or display confidential information. To meet legal requirements, including complying with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms. To provide



information to representatives and advisors, including attorneys and accountants, to help us comply with legal, accounting, or security requirements in reliance on our legitimate interests. To prosecute and defend a court, arbitration, or similar legal proceeding. To respond to lawful requests by public authorities, including to meet national security or law enforcement requirements. To provide, support and improve the Service to perform our contract with you for the use of the Service or where we have not entered into a contract with you, in reliance on our legitimate interests in administering and improving the Service and providing certain features. For example, this may include improving the navigation and content of the Service and sharing your information with third parties in order to provide and support our Service or to make certain features of the Service available to you. When we share your Personal Information with third parties, we take steps to protect your information in a manner that is consistent with our obligations under applicable privacy laws. For further information about how we share your information, refer to Section 5 below. To provide suggestions to you and to provide tailored features within our Service that optimize and personalize your experience in reliance on our legitimate interests in administering the Service and providing certain features. This includes adding features that compare Members' email campaigns, using data to suggest other publishers your Contacts may be interested in, or using data to recommend products or services that you may be interested in or that may be relevant to you or your Contacts. Some of these suggestions are generated through analysis of the data used in our data analytics projects, as described below. To perform data analytics projects in reliance on our legitimate business interests in improving and enhancing our products and services for our Members. Our data analytics projects use data from Mailchimp accounts, including Personal Information of Contacts, to provide and improve the Service. We use information like your sending habits and your Contacts' purchase history, so we can make more informed predictions, decisions, and products for our Members. For example, we use data from Mailchimp accounts to enable product recommendation, audience segmentation, and predicted demographics features for our Members. If you or your Contact prefers not to have their data used for this purpose, you can alter the settings on your account (as described here) to opt out of data analytics projects, or your Contact can opt out of data analytics projects at any time by visiting this page or emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). As always, we take the privacy of Personal Information seriously, and will continue to implement appropriate safeguards to protect this Personal Information from misuse or unauthorized disclosure. To combine and



anonymize data about our Members and our Member's use of the Service in order to create aggregate, anonymized statistics which we may use to provide certain features within the Service and for promoting and improving the Service in reliance on our legitimate interests. To personalize the Service, content, and advertisements we serve to you in reliance on our legitimate interests in supporting our marketing activities and providing certain features within the Service. We and our third-party marketing and advertising partners may use your Personal Information to serve you specifically, such as to deliver gifts and promotional materials, marketing information, product recommendations, non-transactional communications (e.g., email, telemarketing calls, SMS, or push notifications), and personalized advertising about us, in accordance with your applicable marketing preferences and this privacy policy. For further information about how we may share your information with our third-party partners, refer to Section 5 below.

**C. Third-Party Integrations** We may use the Personal Information we collect or receive through the Service, as a processor and as otherwise stated in this privacy policy, to enable your use of the integrations and plugins you choose to connect to your Mailchimp account. For instance, if you choose to connect a Google integration to your Mailchimp account, we'll ask you to grant us permission to view and/or download, as applicable, your Google Sheets, Google Contacts, Google Analytics and Google Drive. This allows us to configure your Google integration(s) in accordance with your preferences. For example, if you wanted to use the Google Contacts integration to share the templates in your Mailchimp account with contacts in your Google address book, we would need to access your Google Contacts to share your templates.

**D. Cookies and Tracking Technologies** We and our third-party partners may use various technologies to collect and store Service Usage Data when you use our Service (as discussed above), and this may include using cookies and similar tracking technologies, such as pixels, web beacons, and if you use our Mobile Apps, through our SDKs deployed on your mobile device. For example, we use web beacons in the emails we send on your behalf, which enable us to track certain behavior, such as whether the email sent through the Service was delivered and opened and whether links within the email were clicked. Both web beacons and SDKs allow us to collect information such as the recipient's IP address, browser, email client type and other similar data as further described above details. We use this information to measure the performance of your email campaigns, to provide analytics information, enhance the effectiveness of our Service, and for other purposes described above. Reports are also available to us when we send email to you, so we may collect and review that information. Our



use of cookies and other tracking technologies is discussed in more detail in our Cookie Statement available here.

**E. Member Distribution Lists** In order to send an email campaign or use certain features in your account, you need to upload a Distribution List that provides us information about your Contacts, such as their names and email addresses. We use and process this information to provide the Service in accordance with our contract with you or your organization and this privacy policy. A Distribution List can be created in a number of ways, including by importing Contacts, such as through a CSV or directly from your email client. We do not, under any circumstances, sell your Distribution Lists. If someone on your Distribution List complains or contacts us, we might then contact that person. You may export (download) your Distribution Lists from Mailchimp by accessing the “Audience” tab from within your account. If we detect abusive or illegal behavior related to your Distribution List, we may share your Distribution List or portions of it with affected ISPs or anti-spam organizations to the extent permitted or required by applicable law. If a Contact chooses to use the Forward to a Friend (FTF) link in an email campaign a Member sends, it will allow the Contact to share the Member’s email content with individuals not on the Member’s Distribution List. When a Contact forwards an email to a friend, we do not store the Contact’s email address or their friend’s email address, and no one is added to any Distribution List as a result of the FTF link. The Member who created the email campaign only sees an aggregate number of times their email campaign was forwarded by a Contact and does not have access to the email addresses used to share or receive that forwarded content.

**F. Your Data Protection Rights** Depending on the country in which you reside, you may have the following data protection rights: To access; correct; update; port; delete; restrict; or object to our processing of your Personal Information. You can manage your individual account and profile settings within the dashboard provided through the Mailchimp platform, or you may contact us directly by emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). You can also manage information about your Contacts within the dashboard provided through the Mailchimp platform to assist you with responding to requests to access, correct, update, port or delete information that you receive from your Contacts. Note, if any of your Contacts wish to exercise any of these rights, they should contact you directly, or contact us as described in the “Privacy for Contacts” section below. You can also contact us at any time to update your own marketing preferences (see Section 5. General Information, C. Your Choices and Opt-Outs below). Mailchimp takes reasonable steps to ensure that the data we collect is reliable for its intended use, accurate, complete and up to date. The



right to complain to a data protection authority about the collection and use of Personal Information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA and UK are available here and Switzerland are available here. Similarly, if Personal Information is collected or processed on the basis of consent, the data subject can withdraw their consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect the processing of your Personal Information conducted in reliance on lawful processing grounds other than consent. If you receive these requests from Contacts, you can segment your lists within the Mailchimp platform to ensure that you only market to Contacts who have not opted out of receiving such marketing. We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection law. We may ask you to verify your identity in order to help us respond efficiently to your request. If we receive a request from one of your Contacts, we will either direct the Contact to reach out to you, or, if appropriate, we may respond directly to their request.

3. Privacy for Contacts This section applies to the information we process about our Members' Contacts as a data controller. Our Service is intended for use by our Members. As a result, for much of the Personal Information we collect and process about Contacts through the Service, we act as a processor on behalf of our Members. Mailchimp is not responsible for the privacy or security practices of our Members, which may differ from those set forth in this privacy policy. Please check with individual Members about the policies they have in place. For purposes of this section, "you" and "your" refer to Contacts.

A. Information We Collect The Personal Information that we may collect or receive about you broadly falls into the following categories:

(i) Information we receive about Contacts from our Members: A Member may provide Personal Information about you to us through the Service. When a Member uploads their Distribution List or integrates the Service with another website or service (for example, when a Member chooses to connect their e-commerce account with Mailchimp), or when you sign up for a Member's Distribution List on a Mailchimp or other signup form, the Member may provide us with certain contact information or other Personal Information about you such as your name, email address, address, or telephone number. You may have the opportunity to update some of this information by electing to update or manage your preferences via an email you receive from a Member.

(ii) Information we collect automatically: When you interact with an email campaign that you receive from a Member or browse or purchase from a Member's

connected store, we may collect information about your device and interaction with an email. We use cookies and other tracking technologies to collect some of this information. Our use of cookies and other tracking technologies is discussed more below and in more detail in our Cookie Statement available here. Device information: We collect information about the device and applications you use to access emails sent through our Service, such as your IP address, your operating system, your browser ID, and other information about your system and connection. Usage data: It is important for us to ensure the security and reliability of the Service we provide. Therefore, we also collect usage data about your interactions with campaigns (and/or emails) sent through the Service, which may include dates and times you access campaigns (and/or emails) and your browsing activities (such as what pages are viewed and which emails are opened). This information also allows us to ensure compliance with our Standard Terms of Use and Acceptable Use Policy, to monitor and prevent service abuse, and to ensure we attain certain usage standards and metrics in relation to our Service. We also collect information regarding the performance of the Service, including metrics related to the deliverability of emails and other electronic communications that our Members send through the Service. This information allows us to improve the content and operation of the Service and facilitate research and perform analysis into the use and performance of the Service. (iii) Information we collect from other sources: From time to time, we may obtain information about you from third-party sources, such as social media platforms, and third-party data providers. B. Use of Personal Information We may use the Personal Information we collect or receive about you in reliance on our (and where applicable, our Members') legitimate interests for the following purposes: To enforce compliance with our Standard Terms of Use and applicable law. This may include utilizing usage data and developing tools and algorithms that help us prevent violations. To protect the rights and safety of Members, third parties, or Mailchimp. For example, sometimes we review the content of our Members' email campaigns to make sure they comply with our Standard Terms of Use. To improve that process, we have software that helps us find email campaigns that may violate our Standard Terms of Use. We, or our third-party service provider, may review those particular email campaigns, which may include your contact information. This reduces the amount of spam being sent through our servers and helps us maintain high deliverability. To meet legal requirements, including complying with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms. To provide information to representatives and advisors, including attorneys





and accountants, to help us comply with legal, accounting, or security requirements. To prosecute and defend a court, arbitration, or similar legal proceeding. To respond to lawful requests by public authorities, including to meet national security or law enforcement requirements. To provide, support and improve the Service. For example, this may include sharing your information with third parties in order to provide and support our Service or to make certain features of the Service available to our Members. When we share Personal Information with third parties, we take steps to protect your information in a manner that is consistent with applicable privacy laws. For further information about how we share information, refer to Section 5 below. To perform data analytics projects. Our data analytics projects use data from Mailchimp accounts, including your Personal Information, to provide and improve the Service. We use information, like your purchase history, provided to us by Members, so we can make more informed predictions, decisions, and products for our Members. For example, we use data from Mailchimp accounts to enable product recommendation, audience segmentation, and predicted demographics features for our Members. If you prefer your data not to be used in this manner, you can opt out of data analytics projects at any time by completing this form or emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). To carry out other business purposes. To carry out other legitimate business purposes, as well as other lawful purposes about which we will notify you.

**C. Cookies and Tracking Technologies** We and our third-party partners may use various technologies to automatically collect and store certain device and usage information (as discussed above) when you interact with a Member's email campaign or connected store, and this may include using cookies and similar tracking technologies, such as pixels and web beacons or if a Member is using our Mobile App, we may collect this information through our SDKs deployed on our Members mobile device. For example, we use web beacons in the emails we send on behalf of our Members. When you receive and engage with a Member's campaign, web beacons track certain behavior such as whether the email sent through the Mailchimp platform was delivered and opened and whether links within the email were clicked. Both web beacons and SDKs allow us to collect information such as your IP address, browser, email client type, and other similar data as further described above. We use this information to measure the performance of our Members' email campaigns, and to provide analytics information and enhance the effectiveness of our Service, and for the other purposes described above. Our use of cookies and other tracking technologies is discussed in more detail in our Cookie Statement



available here. D. Your Data Protection Rights Depending on the country in which you reside, you may have the following data protection rights: To access; correct; update; port; delete; restrict or object to our processing of your Personal Information. For more information about how you can exercise these rights, please see our Privacy Rights Requests form. You also have the right to complain to a data protection authority about our collection and use of your Personal Information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA are available here. As described above, for much of the Personal Information we collect and process about Contacts through the Service, we act as a processor on behalf of our Members. In such cases, if you are a Contact and want to exercise any data protection rights that may be available to you under applicable law or have questions or concerns about how your Personal Information is handled by Mailchimp as a processor on behalf of our individual Members, you should contact the relevant Member that is using the Mailchimp Service, and refer to their separate privacy policies. If you no longer want to be contacted by one of our Members through our Service, please unsubscribe directly from that Member's newsletter or contact the Member directly to update or delete your data. If you contact us directly, we may either forward your request to the relevant Member or provide you with the identity of the Member to enable you to contact them directly. We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your request.

4. Privacy for Visitors This section applies to Personal Information that we collect and process when you visit the Mailchimp Sites, and in the usual course of our business, such as in connection with our recruitment, events, sales and marketing activities or when you visit our offices. In this section, "you" and "your" refer to Visitors.

A. Information We Collect (i) Information you provide to us on the Mailchimp Sites or otherwise: Our Mailchimp Sites offer various ways to contact us, such as through form submissions, email or phone, to inquire about our company and Service. For example, we may ask you to provide certain Personal Information when you express an interest in obtaining information about us or our Service, take part in surveys, subscribe to marketing, apply for a role with Mailchimp, or otherwise contact us. We may also collect Personal Information from you in person when you attend our events or trade shows, if you visit our offices (where you will be required to register as a visitor and provide us with certain information that may also be shared with our service providers) or via a phone call with one of

our sales representatives. You may choose to provide additional information when you communicate with us or otherwise interact with us, and we may keep copies of any such communications for our records. The Personal Information we collect may include: Business contact information (such as your name, phone number, email address and country); Professional information (such as your job title, institution or company); Nature of your communication; Marketing information (such as your contact preferences); and Any information you choose to provide to us when completing any 'free text' boxes in our forms. (ii) Information we collect automatically through the Mailchimp Sites: When you visit our Mailchimp Sites or interact with our emails, we and our third-party partners use cookies and similar technologies such as pixels or web beacons, alone or in conjunction with cookies, to collect certain information automatically from your browser or device. In some countries, including countries in the EEA, this information may be considered Personal Information under applicable data protection laws. Our use of cookies and other tracking technologies is discussed more below, and in more detail in our Cookie Statement available here. The information we collect automatically includes: Device information: such as your IP address, your browser, operating system, device information, unique device identifiers, mobile network information, request information (speed, frequency, the site from which you linked to us ("referring page"), the name of the website you choose to visit immediately after ours (called "exit page"), information about other websites you have recently visited, the web browser you used (software used to browse the internet) including its type and language), and viewfinder size and scripts errors. Usage data: such as information about how you interact with our emails, Mailchimp Sites, and other websites (such as the pages and files viewed, session duration, links clicked, searches, non-sensitive text entered, mouse movements, operating system and system configuration information and date/time stamps associated with your usage). B. Use of Personal Information We may use the information we collect through our Mailchimp Sites and in connection with our events and marketing activities (alone or in combination with other data we collect) for a range of reasons in reliance on our legitimate interests, including: To provide, operate, optimize, and maintain the Mailchimp Sites. To send you marketing information, product recommendations and non-transactional communications (e.g., email, telemarketing calls, SMS, or push notifications) about us, in accordance with your marketing preferences, including information about our products, services, promotions or events as necessary for our legitimate interest in conducting direct marketing or to the extent you have provided your prior

consent. For recruitment purposes if you have applied for a role with Mailchimp. To respond to your online inquiries and requests, and to provide you with information and access to resources or services that you have requested from us. To manage the Mailchimp Sites and system administration and security. To manage event registrations and attendance, including sending related communications to you. To register visitors to our offices for security reasons and to manage non-disclosure agreements that visitors may be required to sign. To improve the navigation and content of the Mailchimp Sites. To identify any server problems or other IT or network issues. To process transactions and to set up online accounts. To compile aggregated statistics about site usage and to better understand the preferences of our Visitors. To help us provide, improve and personalize our marketing activities. To facilitate the security and continued proper functioning of the Mailchimp Sites. To carry out research and development to improve our Mailchimp Sites, products and services. To conduct marketing research, advertise to you, provide personalized information about us on and off our Mailchimp Sites, and to provide other personalized content based on your activities and interests to the extent necessary for our legitimate interests in supporting our marketing activities or advertising our Service or instances where we seek your consent. To carry out other legitimate business purposes, as well as other lawful purposes, such as data analysis, fraud monitoring and prevention, identifying usage trends and expanding our business activities in reliance on our legitimate interests. To cooperate with public and government authorities, courts or regulators in accordance with our legal obligations under applicable laws to the extent this requires the processing or disclosure of Personal Information to protect our rights or is necessary for our legitimate interest in protecting against misuse or abuse of our Mailchimp Sites and Service, protecting personal property or safety, pursuing remedies available to us and limiting our damages, complying with judicial proceedings, court orders or legal processes, or responding to lawful requests. C. Public Information and Third-Party Websites Blog. We have public blogs on the Mailchimp Sites. Any information you include in a comment on our blog may be read, collected, and used by anyone. If your Personal Information appears on our blogs and you want it removed, contact us at [privacy@mailchimp.com](mailto:privacy@mailchimp.com). If we are unable to remove your information, we will tell you why. Social media platforms and widgets. The Mailchimp Sites include social media features, such as the Facebook Like button. These features may collect information about your IP address and which page you are visiting on our Mailchimp Site, and they may set a cookie to make sure the feature functions properly.



Social media features and widgets are either hosted by a third party or hosted directly on our Mailchimp Site. We also maintain presences on social media platforms, including Facebook, Twitter, and Instagram. Any information, communications, or materials you submit to us via a social media platform is done at your own risk without any expectation of privacy. We cannot control the actions of other users of these platforms or the actions of the platforms themselves. Your interactions with those features and platforms are governed by the privacy policies of the companies that provide them. Links to third-party websites. The Mailchimp Sites include links to other websites, whose privacy practices may be different from ours. If you submit Personal Information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any website you visit.

Contests and sweepstakes. We may, from time to time, offer surveys, contests, sweepstakes, or other promotions on the Mailchimp Sites or through social media (collectively, "Promotions"). Participation in our Promotions is completely voluntary. Information requested for entry may include Personal Information such as your name, address, date of birth, phone number, email address, username, and similar details. We use the information you provide to administer our Promotions. We may also, unless prohibited by the Promotion's rules or law, use the information provided to communicate with you, or other people you select, about our Service. We may share this information with our subsidiaries or Affiliates and other organizations or service providers in line with this privacy policy and the rules posted for our Promotions.

D. Cookies and Tracking Technologies We and our third-party partners use cookies and similar tracking technologies to collect and use Personal Information about you, including to serve interest-based advertising about Mailchimp and its Affiliates. For further information about the types of cookies and tracking technologies we use, why, and how you can control them, please see our Cookie Statement available here.

E. Other Data Protection Rights Depending on the country in which you reside, you may have the following data protection rights: To access; correct; update; port; delete; restrict or object to our processing of your Personal Information. You can exercise these rights by visiting this page or by emailing [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). You may also have the right to complain to a data protection authority about our collection and use of your Personal Information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA are available here. Similarly, if we have collected and processed your Personal Information with your consent, then you can withdraw your consent



at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect the processing of your Personal Information conducted in reliance on lawful processing grounds other than consent. You can also contact us at any time to update your marketing preferences (see Section 5. General Information, C. Your Choices and Opt-Outs below). We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your request.

5. General Information A. How We Share Information We may share and disclose your Personal Information with our subsidiaries or Affiliates and to the following types of third parties for the purposes described in this privacy policy (for purposes of this section, "you" and "your" refer to Members, Contacts, and Visitors unless otherwise indicated). Our subsidiaries and Affiliates include Courier Holdings Ltd. located in the United Kingdom. You can learn more about Courier and its privacy practices here.

(i) Our service providers: Sometimes, we share your information with our third-party service providers working on our behalf for the purposes described in this privacy policy. For example, companies we've hired to help us provide and support our Service or assist in protecting and securing our systems and services and other business-related functions. Other examples include analyzing data, hosting data, engaging technical support for our Service, processing payments, and delivering content. We use YouTube's API services in connection with our Service to provide certain features. As such, you acknowledge and agree that by signing up for an account and using the Service, you are also bound by Google's Privacy Policy. In addition to the rights set forth in Section 2, you may manage your YouTube API data by visiting Google's security settings page at <https://security.google.com/settings/security/permissions> In connection with our Service, we also use a third-party service provider, Twilio, Inc. We use Twilio's API, which allows us to build features into our Mailchimp application to enable us to communicate with our Members through texting and calling, and their "Authy" product, which we use for two-factor authentication for our application. If you are a Member, Twilio may need to collect and process certain Personal Information about you as a controller to provide such services. To learn more about Twilio's privacy practices, please visit <https://www.twilio.com/legal/privacy>

(ii) Advertising partners: We may partner with third-party advertising networks, exchanges, and social media platforms (like Google and LiveRamp) to display advertising on the Mailchimp Sites or to manage and serve our advertising on other sites. We and our third-party partners may

use cookies and other similar tracking technologies, such as pixels and web beacons, to gather information about your activities on the Mailchimp Sites and other sites in order to provide you with targeted advertising based on your browsing activities and interests. For more information about how we and our third-party partners use cookies, please see our Cookie Statement available here. In certain cases, we may also share limited Personal Information about our Members with our third-party advertising partners. If you prefer us not to share your Personal Information, you can alter the settings on your account as described here. (iii) Any competent law enforcement body, regulatory body, government agency, court or other third party where we believe disclosure is necessary (a) as a matter of applicable law or regulation, (b) to exercise, establish, or defend our legal rights, or (c) to protect your vital interests or those of any other person. (iv) A potential buyer (and its agents and advisors) in the case of a sale, merger, consolidation, liquidation, reorganization, or acquisition. In that event, any acquirer will be subject to our obligations under this privacy policy, including your rights to access and choice. We will notify you of the change either by sending you an email or posting a notice on our Mailchimp Site. (v) Any other person with your consent. We may also share anonymized, aggregated information with selected third parties for statistical purposes.

**B. Legal Basis for Processing Personal Information (EEA and UK Persons Only)** If you are located in the EEA or UK, our legal basis for collecting and using the Personal Information described above will depend on the Personal Information concerned and the specific context in which we collect it. However, we will normally collect and use Personal Information from you where the processing is in our legitimate interests and not overridden by your data-protection interests or fundamental rights and freedoms. Our legitimate interests are described in more detail in this privacy policy in the sections above titled "Use of Personal Information", but they typically include improving, maintaining, providing, and enhancing our technology, products, and services; ensuring the security of the Service and our Mailchimp Sites; and supporting our marketing activities. If you are a Member, we may need the Personal Information to perform a contract with you. In some limited cases, we may also have a legal obligation to collect Personal Information from you. If we ask you to provide Personal Information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your Personal Information is mandatory or not, as well as of the possible consequences if you do not provide your Personal Information. Where required by law, we will collect Personal Information only where we have your consent

to do so. If you have questions or need further information concerning the legal basis on which we collect and use your Personal Information, please contact us using the contact details provided in the "Questions and Concerns" section below.

C. Your Choices and Opt-Outs

(i) Marketing: Members and Visitors who have opted in to our marketing emails can opt out of receiving marketing emails from us at any time by clicking the "unsubscribe" link at the bottom of our marketing messages. Also, all opt-out requests can be made by emailing us using the contact details provided in the "Questions and Concerns" section below. Please note that some communications (such as service messages, account notifications, and billing information) are considered transactional and necessary for account management, and Members cannot opt out of these messages unless you cancel your Mailchimp account.

(ii) Data Analytics: Our data analytics projects use data from Mailchimp accounts, including Personal Information of Members and Contacts, to provide and improve the Service. If you are a Member and prefer not to have your data used for this purpose, you can alter the settings on your account (as described here). If you are a Contact, you can also opt out of data analytics projects at any time by completing this form or emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). For further information about our data analytics projects, refer to Section 2, B (for Members) or Section 3, B (for Contacts) above.

(iii) Personalized Advertising: We may share limited Personal Information of our Members with third-party advertising networks, exchanges, and social media platforms (like Google and LiveRamp) to display advertising on the Mailchimp Sites or to manage and serve our advertising on other sites. If you are a Member and prefer us not to share your Personal Information, you can alter the settings on your account (as described here). For further information about how we may share your information, refer to Section 5, A above.

D. Our Security We take appropriate and reasonable technical and organizational measures designed to protect Personal Information from loss, misuse, unauthorized access, disclosure, alteration, and destruction, taking into account the risks involved in the processing and the nature of the Personal Information. For further information about our security practices, please see our Security page available here. If you have any questions about the security of your Personal Information, you may contact us at [privacy@mailchimp.com](mailto:privacy@mailchimp.com).

Mailchimp accounts require a username and password to log in. Members must keep their username and password secure, and never disclose it to a third party. Because the information in a Member's Mailchimp account is private, account passwords are hashed, which means we cannot see a Member's password. We cannot resend forgotten passwords either. We will only





provide Members with instructions on how to reset them. E. International Transfers (i) We operate in the United States Our servers and offices are located in the United States, so your information may be transferred to, stored, or processed in the United States. While the data protection, privacy, and other laws of the United States might not be as comprehensive as those in your country, we take many steps to protect your privacy, including offering our Members a Data Processing Agreement available here. (ii) Data transfers from Switzerland, United Kingdom, or the EEA to the United States Mailchimp participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework. We are committed to subjecting all Personal Information received from EEA member countries, United Kingdom, and Switzerland, respectively, in reliance on each Privacy Shield Framework, to each Framework's applicable Principles. To learn more about the Privacy Shield Frameworks, and to view our certification, visit the U.S. Department of Commerce's Privacy Shield website available here. A list of Privacy Shield participants is maintained by the Department of Commerce and is available here. Mailchimp is responsible for the processing of Personal Information we receive under each Privacy Shield Framework and subsequently transfer to a third party acting as an agent on our behalf. We comply with the Privacy Shield Principles for all onward transfers of Personal Information from the EEA, United Kingdom, and Switzerland, including the onward transfer liability provisions. With respect to Personal Information received or transferred pursuant to the Privacy Shield Frameworks, we are subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, we may be required to disclose Personal Information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third-party dispute resolution provider (free of charge to you) at <https://feedback-form.truste.com/watchdog/request>. Under certain conditions, more fully described on the Privacy Shield website, here, you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted. Members located in Switzerland, United Kingdom, and the EEA are subject to our Data Processing Addendum available here, as described in our Standard Terms of Use. (iii) Members, Contacts and Visitors located in Australia If you are a Member, Contact or Visitor who accesses our Service in Australia, this section applies to you. We are subject to the operation of the Privacy Act 1988 ("Australian Privacy Act"). Here are the specific points you should be aware of: As stated in our



Acceptable Use Policy available here, sensitive personal information is not permitted on Mailchimp's platform and Members are prohibited from importing or incorporating any sensitive personal information into their Mailchimp accounts or uploading any sensitive personal information to Mailchimp's servers. Please note that if you do not provide us with your Personal Information or if you withdraw your consent for us to collect, use and disclose your Personal Information, we may be unable to provide the Service to you. Where we collect Personal Information of our Visitors, the Personal Information we ask you to provide will be information that is reasonably necessary for, or directly related to, one or more of our functions or activities. Please see Section 4, of this privacy policy for examples of the types of Personal Information we may ask Visitors to provide. Where we say we assume an obligation about Personal Information, we will also require our contractors and subcontractors to undertake a similar obligation. We will not use or disclose Personal Information for the purpose of our direct marketing to you unless: you have consented to receive direct marketing; you would reasonably expect us to use your personal details for marketing; or we believe you may be interested in the material but it is impractical for us to obtain your consent. You may opt out of any marketing materials we send to you through an unsubscribe mechanism. If you have requested not to receive further direct marketing messages, we may continue to provide you with messages that are not regarded as "direct marketing" under the Australian Privacy Act, including changes to our terms, system alerts, and other information related to your account as permitted under the Australian Privacy Act and the Spam Act 2003 (Cth). Our servers are located in the United States. In addition, we or our subcontractors may use cloud technology to store or process Personal Information, which may result in storage of data outside Australia. It is not practicable for us to specify in advance which country will have jurisdiction over this type of offshore activity. All of our subcontractors, however, are required to comply with the Australian Privacy Act in relation to the transfer or storage of Personal Information overseas. We may also share your Personal Information outside of Australia to our business operations in other countries. While it is not practicable for us to specify in advance each country where your Personal Information may be disclosed, typically we may disclose your Personal Information to the United States, Canada and the European Union. You may access the Personal Information we hold about you. If you wish to access your Personal Information, you may do so by visiting this page, or by emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). We will respond to all requests for access within a reasonable time. If you think the information we hold about you is

inaccurate, out of date, incomplete, irrelevant, or misleading, we will take reasonable steps, consistent with our obligations under the Australian Privacy Act, to correct that information upon your request. If you find that the information we have is not up to date or is inaccurate or incomplete, please contact us in writing at [dpo@mailchimp.com](mailto:dpo@mailchimp.com), so we can update our records. We will respond to all requests for correction within a reasonable time. If you are unsatisfied with our response to a privacy matter, you may consult either an independent advisor or contact the Office of the Australian Information Commissioner for additional help. We will provide our full cooperation if you pursue this course of action.

**F. Retention of Data**  
We retain Personal Information where we have an ongoing legitimate business or legal need to do so. Our retention periods will vary depending on the type of data involved, but, generally, we'll refer to these criteria in order to determine retention period: Whether we have a legal or contractual need to retain the data. Whether the data is necessary to provide our Service. Whether our Members have the ability to access and delete the data within their Mailchimp accounts. Whether our Members would reasonably expect that we would retain the data until they remove it or until their Mailchimp accounts are closed or terminated. When we have no ongoing legitimate business need to process your Personal Information, we will either delete or anonymize it or, if this is not possible (for example, because your Personal Information has been stored in backup archives), then we will securely store your Personal Information and isolate it from any further processing until deletion is possible.

**G. California Privacy**  
The California Consumer Privacy Act ("CCPA") provides consumers with specific rights regarding their Personal Information. You have the right to request that businesses subject to the CCPA (which may include our Members with whom you have a relationship) disclose certain information to you about their collection and use of your Personal Information over the past 12 months. In addition, you have the right to ask such businesses to delete Personal Information collected from you, subject to certain exceptions. If the business sells Personal Information, you have a right to opt-out of that sale. Finally, a business cannot discriminate against you for exercising a CCPA right. When offering services to its Members, Mailchimp acts as a "service provider" under the CCPA and our receipt and collection of any consumer Personal Information is completed on behalf of our Members in order for us to provide the Service. Please direct any requests for access or deletion of your Personal Information under the CCPA to the Member with whom you have a direct relationship. Consistent with California law, if you choose to exercise your applicable CCPA rights, we won't charge you different prices or provide you a



**DATA SUBJECTS:  
CLIENTS/CUSTOMERS**

different quality of services. If we ever offer a financial incentive or product enhancement that is contingent upon you providing your Personal Information, we will not do so unless the benefits to you are reasonably related to the value of the Personal Information that you provide to us. H. Do not Track Certain state laws require us to indicate whether we honor “Do Not Track” settings in your browser. Mailchimp adheres to the standards set out in this Privacy Policy and does not monitor or follow any Do Not Track browser requests. I. Changes to this Policy We may change this privacy policy at any time and from time to time. The most recent version of the privacy policy is reflected by the version date located at the top of this privacy policy. All updates and amendments are effective immediately upon notice, which we may give by any means, including, but not limited to, by posting a revised version of this privacy policy or other notice on the Mailchimp Sites. We encourage you to review this privacy policy often to stay informed of changes that may affect you. Our electronically or otherwise properly stored copies of this privacy policy are each deemed to be the true, complete, valid, authentic, and enforceable copy of the version of this privacy policy that was in effect on each respective date you visited the Mailchimp Site. J. Questions & Concerns If you have any questions or comments, or if you have a concern about the way in which we have handled any privacy matter, please send an email to [privacy@mailchimp.com](mailto:privacy@mailchimp.com). You may also contact us by postal mail or email at: For EEA, Swiss and UK Residents: For the purposes of EU data protection legislation, The Rocket Science Group LLC d/b/a Mailchimp is the controller of your Personal Information. Our Data Protection Officer can be contacted at [dpo@mailchimp.com](mailto:dpo@mailchimp.com). For any other Residents: The Rocket Science Group LLC d/b/a Mailchimp Attn. Privacy Officer [privacy@mailchimp.com](mailto:privacy@mailchimp.com) 675 Ponce de Leon Ave NE, Suite 5000 Atlanta, GA 30308 USA  
Products

**Purpose of processing Personal Information:**

Information, marketing, Invoicing and delivery purposes

**Recipient or categories of recipients to whom the Personal Information is supplied:**

<b>DATA SUBJECTS: CLIENTS/CUSTOMERS</b>
<p>Managing Director has sole access to information stored on the Mailchimp platform. All customers on the mailing list are subscribers. Information supplied to us as part of our requirements in order to process orders and deliveries for customers is accessible by all sales staff.</p>
<p><b><u>The consequences of failure to provide information:</u></b></p>
<p>We would be unable to process orders, not would we be able to deliver or courier goods to customers. We would also be unable to notify customers of changes to our operating status, new product offerings etc.</p>

<b>DATA SUBJECTS: SUPPLIERS</b>		
<b><u>Personal Information processed:</u></b>	<b><u>Source of the Personal Information</u></b>	<b><u>Is the supply of Personal Information mandatory or voluntary?:</u></b>
<p>Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person</p>	<p>Provided by Supplier</p>	<p>Mandatory</p>

<b>DATA SUBJECTS: SUPPLIERS</b>		
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	Sent by supplier	Mandatory
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	Provided by supplier	Mandatory
<b>Will any of the Personal Information be transferred to another country or international organisation?</b>		
No		
<b><u>Purpose of processing Personal Information:</u></b>		
Names and email addresses are necessary in order to correspond with suppliers.		
<b><u>Recipient or categories of recipients to whom the Personal Information is supplied:</u></b>		
General office staff		
<b><u>The consequences of failure to provide information:</u></b>		

<b>DATA SUBJECTS: SUPPLIERS</b>
Inability to communicate with suppliers

<b>DATA SUBJECTS: SERVICE PROVIDERS</b>		
<b><u>Personal Information processed:</u></b>	<b><u>Source of the Personal Information</u></b>	<b><u>Is the supply of Personal Information mandatory or voluntary?:</u></b>
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	Supplied by service provider	Voluntary
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	Supplied by service provider	Voluntary

<b>DATA SUBJECTS: SERVICE PROVIDERS</b>		
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	Supplied by service provider	Voluntary
<b>Will any of the Personal Information be transferred to another country or international organisation?</b>		
No		
<b><u>Purpose of processing Personal Information:</u></b>		
Their information enables us to contact and correspond with them.		
<b><u>Recipient or categories of recipients to whom the Personal Information is supplied:</u></b>		
Manager & General Manager		
<b><u>The consequences of failure to provide information:</u></b>		
Inability to utilise the service they provide		



<b>DATA SUBJECTS: PROSPECTIVE CLIENTS</b>		
<b><u>Personal Information processed:</u></b>	<b><u>Source of the Personal Information</u></b>	<b><u>Is the supply of Personal Information mandatory or voluntary?:</u></b>
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	Supplied by client	Voluntary
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	Supplied by client	Voluntary
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	Supplied by client	Voluntary
<b>Will any of the Personal Information be transferred to another country or international organisation?</b>		

<b>DATA SUBJECTS: PROSPECTIVE CLIENTS</b>
No
<b><u>Purpose of processing Personal Information:</u></b>
For purposes of quoting and corresponding with clients who make enquiries.
<b><u>Recipient or categories of recipients to whom the Personal Information is supplied:</u></b>
Sales staff
<b><u>The consequences of failure to provide information:</u></b>
Inability to assess the needs and requirements of potential clients.

9.3 Where Personal Information is collected in terms of specific legislation, the Private Body will inform the data subject in terms of which legislation that data is collected.

9.4 Data subjects have the right to object to the processing of their Personal Information.

9.5 In the event a data subject requires confirmation regarding the existence of the Personal Information processed by the Private Body or believes that the Personal Information processed by the Private Body requires rectification, the data subject is entitled to utilise the processes and procedures set out in section A of this manual to request access to the records of the Private Body set out in section 18(1)(h)(iii).

9.6 We will not, without data subjects' express consent use their Personal Information for any purpose, other than:

specifically:

9.6.1 as set out in the abovementioned tables;

generally:

- 9.6.2 in relation to the provision of any goods and services to a data subject;
- 9.6.3 to inform the data subject of new features, special offers and promotional competitions offered by us or any of our divisions, affiliates and/or partners (unless they have opted out from receiving marketing material from us);
- 9.6.4 to improve our product and/or service selection and their experience on our website;  
or
- 9.6.5 to disclose their Personal Information to any third party as set out below:
  - 9.6.5.1 to our employees and/or third party service providers who assist us to interact with data subjects via our website, for the ordering of goods or services or when delivering goods or services to data subjects, their personal and contact information being essential in order to assist us to communicate with the data subjects properly and efficiently;
  - 9.6.5.2 to our divisions, affiliates and/or partners (including their employees and/or third party service providers) in order for them to interact directly with data subjects via email or any other method for purposes of sending data subjects marketing material regarding any current or new goods or services, new features, special offers or promotional items offered by them (unless the data subjects have opted out from receiving marketing material from us);
  - 9.6.5.3 to law enforcement, government officials, fraud detection agencies or other third parties when we believe in good faith that the disclosure of Personal Information is necessary to prevent physical harm or financial loss, to report or support the investigation into suspected illegal activity;
  - 9.6.5.4 to our service providers (under contract with us) who help with parts of our business operations (fraud prevention, marketing, technology services etc). However, these service providers may only use data subjects information in connection with the services they perform for us and not for their own benefit;
  - 9.6.5.5 to our suppliers in order for them to liaise directly with data subject regarding any defective goods or services which requires their involvement;



- 9.6.5.6 to any third-party seller for purposes of sending data subjects an invoice for any goods purchased from such third-party seller, which disclosed information will be limited to data subjects' email addresses;
- 9.7 We are entitled to use or disclose data subjects' Personal Information if such use or disclosure is required in order to comply with any applicable law, subpoena, order of court or legal process served on us, or to protect and defend our rights or property. In the event of a fraudulent online payment, we are entitled to disclose relevant Personal Information for criminal investigation purposes or in line with any other legal obligation for disclosure of the Personal Information which may be required of it.
- 9.8 Data subjects' privacy is important to us and we will therefore not sell, rent or provide their Personal Information to unauthorised third parties for their independent use, without their consent.
- 9.9 We will not process personal information concerning:
- 9.9.1 the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or
- 9.9.2 the criminal behaviour of a data subject to the extent that such information relates to i) the alleged commission by a data subject of any offence; or ii) any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.
- unless
- 9.9.2.1 the data subject has given us specific consent to process such data; or
- 9.9.2.2 processing is necessary for the establishment, exercise or defence of a right or obligation in law;
- 9.9.2.3 processing is necessary to comply with an obligation of international public law; or
- 9.9.2.4 processing is for historical, statistical or research purposes to the extent that: (i) the purpose serves a public interest or (ii) requesting consent would constitute an unreasonable requirement in the circumstances.



- 9.10 In line with our obligations in terms of section 22 of the POPI Act, where there are reasonable grounds to believe that Personal Information has been accessed or acquired by any unauthorised person, we will notify the Information Regulator and the data subject, where possible.
- 9.11 When data subjects provide a rating or review of our services and/or goods, they consent to us using that rating or review as we deem fit, including without limitation, on our website, in newsletters or other marketing material. The name that will appear next to that rating or review is their first name, as they would have provided. We will not display their surname, nor any of their contact details, with a rating or review.
- 9.12 We will:
- 9.12.1 treat data subjects' Personal Information as strictly confidential, save where we are entitled to share it as set out in this section;
  - 9.12.2 take appropriate technical and organisational measures to ensure that data subjects' Personal Information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;
  - 9.12.3 provide data subjects with access to their Personal Information to view and/or update personal details;
  - 9.12.4 promptly notify data subjects if we become aware of any unauthorised use, disclosure or processing of their Personal Information;
  - 9.12.5 provide data subjects with reasonable evidence of our compliance with our obligations under this section on reasonable notice and request; and
  - 9.12.6 upon data subjects request, promptly return or destroy any and all of their Personal Information in our possession or control, save for that which we are legally obliged to retain.
- 9.13 We will not retain data subjects' Personal Information longer than the period for which it was originally needed, unless we are required by law to do so, or they consent to us retaining such information for a longer period.
- 9.14 We undertake never to sell or make data subjects' Personal Information available to any third-party other than as provided for in this section.



- 9.15 Whilst we will do all things reasonably necessary to protect data subjects' rights of privacy, we cannot guarantee or accept any liability whatsoever for unauthorised or unlawful disclosures of data subjects' Personal Information, whilst in our possession, made by third parties who are not subject to our direct control, unless such disclosure is as a result of our gross negligence.
- 9.16 Should a data subject believe that we have used their Personal Information contrary to this Manual and the provisions of the POPI Act, the data subject should first attempt to resolve any concerns with us. If the data subject is not satisfied, they have the right to lodge a complaint with the Information Regulator (which address can be found herein below), established in terms of the POPI Act.

The Information Regulator (South Africa)  
SALU Building  
316 Thabo Sehume Street  
Pretoria  
0004

10 **TRANSBORDER FLOWS OF PERSONAL INFORMATION** – (section 51(1)(iv) of PAIA and section 18(1)(g) of the POPI Act.

- 10.1 The Private Body may from time to time need to transfer authorised Personal Information to another country for storage purposes or for the rendering of services by a foreign third-party service provider or otherwise. We will ensure that any person that we pass data subjects' Personal Information to agrees to treat their information with the same level of protection as we are obliged to in terms of section 72 of the POPI Act.



11 **SECURITY MEASURES TO PROTECT PERSONAL INFORMATION** –  
Section 51(1)(v)

11.1 The security measures implemented by the Private Body to ensure the confidentiality, integrity and availability of Personal Information, are listed and described below:

<b><u>PHYSICAL SECURITY MEASURES:</u></b>	<b><u>CYBER SECURITY MEASURES:</u></b>
Access control to the premises and certain key areas, which access is restricted to authorised personnel	Firewalls
Devices and user stations are password protected	Virus protection
Safe storage of physical documentation	Password protection on devices are changed regularly
Discarded documentation is shredded	Virtual private network
	Systems and devices are automatically locked after certain periods of inactivity
	Data is backed up

12 **UPDATES TO THE MANUAL** – Section 51(2)

The Private Body may update this manual every six months or from time to time as it may deem necessary.

SIGNED at Fourways on 6th of July 2021

 Samantha Selesnick  
THE HEAD OF THE PRIVATE BODY