

Privacy Policy

Bayede! (Proprietary) Limited (“We”) are committed to protecting and respecting your privacy. This Privacy Policy sets out how We Process Personal Information. Please read the following carefully to understand our views and practices regarding your Personal Information and how we will Process it. By visiting <http://www.vnl.co.za>, or any of our other sites or social media networks (“our site”), or by utilising our Services you are accepting and consenting to the practices described in this Privacy Policy. Reference to “consent”, “your consent” or “your explicit consent” shall include the ticking of a tick box or clicking on a “submit” button or “I agree” button on our site.

1. PERSONAL INFORMATION COLLECTED FROM YOU

We may collect and process the following Personal Information about you –

1.1. Personal Information you give to us – You may provide us with Personal Information about you when you engage with us or any of our representatives.

1.2. Personal Information we collect about you – We may automatically collect the following information from and/or about you –

1.2.1. Technical information – This information shall include the IP Address used to connect your computer to the Internet, your login information, browser type and version, time-zone setting, browser plug-in types and versions, operating system and platform. Your IP Address is automatically logged by our servers and used to collect traffic data about visitors to our site. We do not use your IP Address to identify you personally; and

1.2.2. Information about your visit to our site – This information shall include the full Uniform Resource Locators (URL) Clickstream to, through and from our site (including the date and time), Services and Products you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and Mouse-overs) and methods used to browse away from the page and any phone number used to call our Customer Service number.

1.3. Information we receive from other sources – We may receive Personal Information about you where you have authorised us to collect information from selected third parties. In this case we will have informed you when we collected that Personal Information that it may be shared internally and combined with information collected on our site. We are also working closely with third parties (including, for example, business partners, sub-contractors in technical, payment (i.e. Paygate) and delivery services, insurance brokers, advertising networks, analytics providers, search information providers) and may receive information about you from them to improve our Services to you.

1.4. Recording calls. We may monitor and record telephone calls that you make to us, unless you specifically request us not to

2. COOKIES

2.1. Our site makes use of cookies to help us understand our Users better. Cookies allow us to better understand which Users have seen which web pages and advertisements, to determine how frequently particular pages are visited and to determine the most popular areas of our site. Depending on the type of cookie we use, cookies also allow us to make our site more User friendly, for example, permanent cookies may allow us to save your password so that you don’t have to re-enter it every time you visit our site.

2.2. You should be able to adjust your browser so that your computer does not accept cookies. If you do this, you will still be able to browse the website but the functions that allow you to access an existing account or page that requires a username or password will not be available.

2.3. You can, alternatively, adjust your browser to notify you when a website attempts to put a cookie on your computer. How you adjust your browser to stop it accepting, or to notify you, of cookies, will depend on the type of internet browser programme your computer uses.

2.4. Please remember, cookies do not contain Personal Information such as your home address, telephone number or credit card details. We do not exchange cookies with any third party websites or external data suppliers.

3. USE OF YOUR PERSONAL INFORMATION

3.1. We will not sell your Personal Information.

3.2. We may however use Personal Information, which relates to you, in the following ways –

3.2.1. Information you give to us: We will use this information to –

3.2.1.1. verify who you are when engaging with us;

3.2.1.2. carry out our obligations arising from any contract entered into between you and us (or selected third parties) and to provide you with the information, Products and Services that you request from us or selected third parties or Products or Services we offer that are similar to those that you have already acquired or enquired about or that will further contribute to our philosophy;

3.2.1.3. notify you about new or changes to our (or selected third parties') Products or Services;

3.2.1.4. ensure that Content from our site is presented in the most effective manner for you and for your computer; and

3.2.1.5. deal with enquiries and complaints made by or about you relating to our site or your use thereof.

3.2.2. Information we collect about you: We will use this information –

3.2.2.1. to administer our site and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;

3.2.2.2. to improve our site to ensure that Content is presented in the most effective manner for you and for your computer;

3.2.2.3. to allow you to participate in interactive features of our Service, when you choose to do so;

3.2.2.4. as part of our efforts to keep our site safe and secure;

3.2.2.5. to measure or understand the effectiveness of advertising we serve to you and other Users, and to deliver relevant advertising; and

3.2.2.6. to make suggestions and recommendations to you and other Users of our site about additional products or services that may interest you or them.

3.2.3. Information we receive from other sources – We may combine this information with the information provided at paragraph 3.2.1 and 3.2.2 above. We may use this information and the combined information for the purposes set out above (depending on the types of information we receive).

3.3. Submission of Personal Information on behalf of another – If you provide information on behalf of someone else, then it is your responsibility to obtain the necessary consent from such person/User before making the information available to us. On receipt of Personal Information we assume that the necessary consent has been obtained and will process the Personal Information as per your instructions. By submitting such Personal Information on behalf of another person/User, you indemnify us against any third party claim, where such third party claim relates to Personal Information which has been processed without the necessary consent or other available exception by law.

4. DISCLOSURE OF YOUR PERSONAL INFORMATION

4.1. We may share your Personal Information with any member of our group, which shall include our subsidiaries, our ultimate holding company and its subsidiaries, as defined in the Companies Act.

4.2. We may share your Personal Information with:-

4.2.1. business partners and sub-contractors for the performance of any contract we enter into with them for purposes of our Services to you, or where you have entered into a contract with them, as per your selection. Our engagement with any third party will be under a contract with specific reference made to the fact that your Personal Information must be managed on a confidential basis;

4.2.2. service providers that provide information processing services to us. In these instances the third parties shall be required to enter into a non-disclosure agreement on no less stringent terms than found in this Privacy Policy and to process and protect your Personal Information in accordance with our instructions. Occasionally the third party service providers may be outside the borders of the Republic of South Africa and will we transfer your Personal Information to them for the necessary processing services;

4.2.3. a third party where we sell or buy any business or assets, in which case we may disclose your Personal Information to the prospective seller or buyer of such business or assets;

4.2.4. a third party where a substantial part of our assets are acquired by a third party, in which case Personal Information held by us about our Users will be one of the transferred assets; or

4.2.5. a third party if we are under a duty to disclose or share your Personal Information in order to comply with any legal obligation, or in order to enforce or apply our Terms of Use applicable to any particular website of ours or Terms of Service of supply of our Services to you and other agreements; or to protect our rights, property, or safety or that of others. This may include exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

4.3. Kindly take note: We only share de-identifiable information to advertisers and advertising networks that require the data to select and serve relevant adverts to you and others. We do not disclose information about identifiable individuals to our advertisers, but we may provide them with aggregate information about our Users (As an example, we may inform them that 500 men, aged under 30, have clicked on their advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target. We may make use of the Personal

Information we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience.

4.4. We may share your Personal Information with analytics and search engine providers that assist us in the improvement and optimisation of our site (we do not disclose identifiable Personal Information to them).

5. WHERE WE STORE YOUR PERSONAL INFORMATION

5.1. The Personal Information that we collect from you may be transferred to, and stored at, a destination outside of the Republic of South Africa. By submitting your Personal Information, you agree that we may transfer, store and process it accordingly. We will take all steps reasonably necessary to ensure that your Personal Information is treated securely and in accordance with this Privacy Policy.

5.2. All information you provide to us is stored on our secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site, you are responsible for keeping this password safe and confidential. We ask that you not share this password with anyone.

5.3. Records of Personal Information will not be retained for longer than is necessary for operational or archiving purposes for which the information was collected, unless retention of record is required or authorised by law. Records of Personal Information may be retained for periods in excess of those contemplated for historical, statistical or research purposes, subject to us establishing appropriate safeguards against the records being used for any other purpose and or we have de-identified the record(s).

5.4. Despite our best efforts the transmission of information over the Internet may not always be completely secure. Although we will use appropriate and reasonable technical and organisational measurements to protect your Personal Information, we cannot guarantee the security of your data transmitted to our site or to any other location by electronic means and any transmission is at your own risk. Once we have received your information, we will use appropriate and reasonable technical and organisational measurements to try to prevent any unauthorised access.

6. SOCIAL MEDIA PLATFORMS

6.1. Communication, engagement and actions taken through external social media platforms that we, our directors or employees participate in are custom to the terms and conditions as well as the privacy policies held with each social media platform respectively.

6.2. You are advised to use social media platforms wisely and communicate/engage with them with due care and caution in regard to their own privacy and Personal Information. PLEASE NOTE: WE WILL NEVER ASK FOR PERSONAL OR SENSITIVE INFORMATION THROUGH SOCIAL MEDIA PLATFORMS AND ENCOURAGE USERS, WISHING TO DISCUSS SENSITIVE DETAILS OR TO RESOLVE ISSUES/CONCERNS, TO CONTACT US THROUGH PRIMARY COMMUNICATION CHANNELS SUCH AS BY TELEPHONE OR EMAIL.

6.3. Our social network page(s) may share web links to relevant web pages. By default some social media platforms shorten lengthy URL's. You are advised to exercise caution and due care before clicking on any shortened URL's published on social media platforms by this site. Despite our best efforts to ensure that only genuine URL's are published many social media platforms are prone to spam and hacking and therefore our site and its owners cannot be held liable for any damages or implications caused by visiting any shortened links.

7. INTERCEPTION AND MONITORING OF COMMUNICATIONS

We reserve the right to intercept, monitor, copy or block communications to and from our communications facilities (including, but not limited to, our site, portal, email, SMSs, telephone etc.) in accordance with the relevant provisions of the law.

8. YOUR RIGHTS

8.1. Marketing – You have the right to ask us not to process your Personal Information for marketing purposes. We will usually inform you if we intend to use your information for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your Personal Information. You can also exercise the right at any time by contacting us at admin@bayede.co.za or use the unsubscribe functionality (“opt out”) on our email communications.

8.2. Third Party Websites/Social Media Websites – Our site may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any Personal Information to these websites.

8.3. Access to information – You have a right to see/access your Personal Information kept by us. You may instruct us to provide you with any Personal Information we hold about you upon receipt of a written request and possible payment of a fee as per PAIA.

8.4. Amendments to information – You are entitled to correct, update or amend any Personal Information you submitted to us by contacting us at admin@bayede.co.za

9. CREDIT CARD DETAILS

No credit card details are stored on our site and will therefore be stored separately from your Personal Information.

10. CHANGES TO OUR PRIVACY POLICY

Any changes made to our Privacy Policy in future will be posted on this web page and, where appropriate (although we are not obliged to), notified to you by e-mail. The new version will apply when it is published on our site. Please check back frequently to see any updates or changes to our Privacy Policy. Kindly note that should you continue to use our site after changes have been made to the Privacy Policy you will be deemed to have accepted such new changes.

11. CONTACT US

Should you have any questions, comments and/or requests regarding this Privacy Policy you may forward it to: info@vnl.co.za (for attention of the Information Officer).

12. DEFINITIONS

12.1. Clickstream means a series of mouse clicks made by you while accessing the Internet, specifically our site;

12.2. Companies Act means the Companies Act, Act 71 of 2008 (as amended);

12.3. Content means any information, content, images, video, audio, data, works of authorship, materials, software and technology which may be displayed on, incorporated into, underlying, or used to operate our site;

12.4. Internet Protocol (IP) Address means a set of numbers which are assigned to the User's computer during a browsing session whenever the User logs onto the Internet via the User's internet service provider or the User's network (if the User access' the Internet from, for example, a computer at work);

12.5. Mouse-over means the action whereby certain information is displayed when a User hovers their computer mouse pointer over a specific area and information is displayed by way of a pop-up box;

12.6. PAIA means the Promotion of Access to Information Act, Act 2 of 2000 (as amended);

12.7. Personal Information: information that can be associated with a specific natural or juristic person and s further defined in the POPI Act, but excludes: i) information that does not identify a specific person; ii) de-identified information that does not relate or cannot be traced back to the person specifically; and iii) non-personal statistical information, and iv) information that a person have provided voluntarily in an open and public environment..

12.8. POPI Act means the Protection of Personal Information Act, Act 4 of 2013;

12.9. Process: as defined in the POPI Act;

12.10. Products means the products available for purchase on our site, including, without limitation, wine;

12.11. Services means the services provided by us which includes, without limitation, sale and delivery of Products to Users on our online VNL Platform;

12.12. User(s) means users of our site (including u!); and

12.13. VNL Platform means the software program/information technology platform made available by us to you in order for you to utilise our Services.