

PROTECTION OF PERSONAL INFORMATION (“POPI”), PRIVACY POLICY AND PRINCIPLES

1. Introduction

- 1.1. Nymbis respects its customers' privacy and will take the measures set out herein to protect it.
- 1.2. Nymbis may require the customer to provide Nymbis with personal information which include company names and registration numbers, name and surname, email address, physical address, gender, mobile number, and date of birth.
- 1.3. Should the customer's personal information change, please inform Nymbis and provide Nymbis with the updates within 7 days to enable Nymbis to update the customer's personal information.
- 1.4. Customer may choose to provide additional personal information to Nymbis, in which event customer agree to provide accurate and current information, and not to impersonate or misrepresent any person/entity or falsely state or otherwise misrepresent the customer's affiliation with anyone or anything.
- 1.5. Nymbis asks each of its customers to abide by all applicable laws, rules and regulations, as Nymbis will do so ourselves.
- 1.6. The “Products” and “Services” and related services are described on the Nymbis website at www.nymbis.cloud and in the customer contract.

2. Customer's Consent

- 2.1. By using Nymbis and its Products and/or Services, the customers consent to the processing of the customer's personal data. Subject to the below, Nymbis will not, without the customer's consent, use the customer's personal information for any purpose other than as set out hereunder:
- 2.2. Nymbis uses customers' personal information for several purposes:
 - 2.2.1. to register the customer for inclusion in our Service to fulfil the customer's request;
 - 2.2.2. to contact customers if Nymbis needs to obtain or provide additional information;
 - 2.2.3. to verify the accuracy of our records;
 - 2.2.4. to contact customers regarding customer satisfaction surveys in relation to the ordering, sale, delivery, performance and quality of Products and Services;
 - 2.2.5. to contact customers regarding current or new Products or Services or any other Products offered by Nymbis (unless customers have opted out from receiving marketing material from Nymbis);
 - 2.2.6. to inform customers of new features, special offers and promotional competitions offered by Nymbis (unless customers have opted out from receiving marketing material from Nymbis);
 - 2.2.7. to improve our Products, Services and customers selection and the customer's experience on our Products and/or Services by, for example, monitoring the customer's browsing habits, or tracking the customer's sales on the Products and/or Services;

- 2.2.8. to collect certain technical information, such as the browser version and operating system;
- 2.3. Nymbis shall not disclose the customer's personal information to any third party other than as set out below:
 - 2.3.1. to our employees and/or third-party Service providers that need to know the customer's personal information in order to assist Nymbis to communicate with customers properly and efficiently.
 - 2.3.2. to law enforcement, government officials, fraud detection agencies or other third parties when Nymbis believe in good faith that the disclosure of personal information is necessary to prevent physical harm or financial loss, to report suspected illegal activity, or to investigate violations of the Privacy Policy;
 - 2.3.3. to our Service providers (under contract with Nymbis) who help with parts of our business operations (fraud prevention, networks, platforms, licenses, marketing, technology Services etc.). However, our contracts dictate that these Service providers may only use the customer's information in connection with the Services they perform for Nymbis and not for their own benefit;
 - 2.3.4. to our suppliers in order for them to liaise directly with customers in the event of customers submitting a warranty claim regarding any Products or Services customers have purchased which requires their involvement.
- 2.4. From time-to-time Nymbis may also administer random "interactive pop-up" surveys to some customers. These surveys request additional demographic, non-personally identifiable information. The customers' participation in a survey is always voluntary, and customers therefore have a choice whether to provide the requested survey information. Nymbis uses the information collected in the survey, in conjunction with information gathered through cookies and code, in order to provide customers with an even more detailed understanding of its target market;
- 2.5. Some voluntarily provided personally identifiable information may be captured; for example, when an email address or telephone number is incorporated into a survey for the potential awarding of a prize draw, or when the respondent has opted-in to possible follow up research. This information may be shared with entities or other customers who in turn have agreed to adhere to this Privacy Policy;
- 2.6. Nymbis is entitled to use or disclose the customer's 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 Nymbis, or to protect and defend our rights or property;
- 2.7. Nymbis will ensure that all our employees, third party Service providers, suppliers, divisions and partners (including their employees and third-party Service providers) having access to the customer's personal information are bound by appropriate and legally binding confidentiality obligations in relation to the customer's personal information.

3. Personal Information

- 3.1. Nymbis will:
 - 3.1.1. treat the customer's personal information as strictly confidential, save where Nymbis is entitled to share it as set out in this Policy;
 - 3.1.2. take appropriate technical and organisational measures to ensure that the customer's personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage,

- alteration, disclosure or access;
- 3.1.3. provide customers with access to the customer's personal information to view and/or update personal details;
 - 3.1.4. promptly notify customers if Nymbis becomes aware of any unauthorised use, disclosure or processing of the customer's personal information;
 - 3.1.5. provide customers with reasonable evidence of our compliance with our obligations under this Policy on reasonable notice and request;
 - 3.1.6. upon the customer's request, promptly return or destroy any and all of the customer's personal information in our possession or control, save for that which Nymbis is legally obliged to retain;
- 3.2. Nymbis undertakes never to sell or make the customer's personal information available to any third party other than as provided for in this Policy.
 - 3.3. Whilst Nymbis will do all things reasonably necessary to protect the customer's rights of Privacy, Nymbis cannot guarantee or accept any liability whatsoever for unauthorised or unlawful disclosures of the customer's personal information, whilst in our possession, made by third parties who are not subject to our control.
 - 3.4. If customers disclose the customer's personal information to an unrelated third party, such as an entity which operates products and/or services linked to Nymbis supplied Products and/or Services, Nymbis **WILL NOT BE LIABLE FOR ANY LOSS OR DAMAGE, HOWSOEVER ARISING, SUFFERED BY YOU AS A RESULT OF THE DISCLOSURE OF SUCH INFORMATION TO THE THIRD PARTY.** This is because Nymbis does not regulate or control how that third party uses the customer's personal information. The customer should always ensure that they read the Privacy Policy of any third party;
 - 3.5. **Retention Period.** Nymbis will retain the customer's personal information for the period necessary to fulfil the purposes outlined in this Privacy Policy unless a longer retention period is required or allowed by law;
 - 3.6. **Cross-Border Transfer for customers:** The personal information from customers may be stored and processed in any country where Nymbis has facilities or where the Products or Services originate, and by using Product or Services the customer's consent to the transfer of information to countries outside of the customer's country of residence, which have different data protection rules than in the customer's country;
 - 3.7. **Children and Privacy.** The Nymbis Products and/or Services do not offer information intended to attract children. Nymbis does not knowingly solicit personal information from children under the age of 18;
 - 3.8. **Your right to access information.** Customers have the right to request a copy of the personal information we hold about the customer. To do so, simply email Nymbis on our contact details below and send a request to review the personal information or contact us at the numbers/addresses listed below and specify what information is required. Nymbis will take all reasonable steps to confirm the customer and/or customer's identity before providing details of its personal information. Please note that any such access request may be subject to a payment of a legally allowable fee;
 - 3.9. **Correction of information.** Customers have the right to ask Nymbis to update, correct or delete personal information. Customers may do this by completing Form 2 on the Nymbis website. Nymbis will take all reasonable steps to confirm the customer's identity before

making changes to personal information held about the customer.

3.10. Nymbis's POPI contacts. Please refer to Nymbis's PAIA manual on the Nymbis website for more detail.

4. Security

4.1. Nymbis uses reasonable organisational, technical and administrative measures to protect personal information under its control. Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure.

4.2. If customers have reason to believe that the customer's interaction with Nymbis is no longer secure (for example, if customers feel that the security of any account customers might have with Nymbis has been compromised), please immediately notify Nymbis of the problem.

5. Digital Marketing - Cookies - Website and/or App

5.1. Our Website and/or App makes use of "cookies" to automatically collect information and data through the standard operation of the Internet servers. "Cookies" are small text files a Website and/or App can use (and which Nymbis may use) to recognise repeat customers, facilitate the customer's on-going access to and use of a Website and/or App and allow a Website and/or App to track usage behaviour and compile aggregate data that will allow the Website and/or App operator to improve the functionality of the Website and/or App and its content.

5.2. The type of information collected by cookies is not used to personally identify customers. If customers do not want information collected using cookies, there is a simple procedure in most browsers that allows customers to deny or accept the cookie feature.

5.3. Please note that cookies may be necessary to provide customers with certain features available on our Digital Marketing Services, and thus if customers disable the cookies on the customer's browser, customers may not be able to use those features, and the customer's access to our Digital Marketing Services will therefore be limited. If customers do not disable "cookies", customers are deemed to consent to our use of any personal information collected using those cookies.

6. Changes to the Privacy Policy

6.1. Nymbis may, in its sole discretion, change any of the terms and conditions of this Privacy Policy at any time. It is the customer's responsibility to regularly check the Privacy Policy and make sure that customers are satisfied with the changes. Should a customer not be satisfied, customers must not place any further orders on, or in any other way use, the Products and/or Services.

6.2. Any such change will only apply to the customer's use of these Products and/or Services after the change is displayed on the Products and/or Services. If customers use the Products and/or Services after such amended Privacy Policy, customers will be deemed to have accepted such changes.

7. Electronic Communications

7.1. When customers visit the Products and/or Services or send emails to Nymbis, customers consent to receiving communications from Nymbis electronically in accordance with our Privacy Policy.

8. Governing Law and Jurisdiction

- 8.1. This Privacy Policy, our relationship and/or any dispute arising from or in connection with the Privacy Policy will be governed and interpreted in accordance with the laws of the Republic of South Africa.