



# NETLAYER

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## Privacy Policy

This Policy explains how we obtain, use, process and disclose your personal information during your use of any of the Netlayer services, website, applications, products and platforms. This we do in accordance with the requirements of the South African Protection of Personal Information Act ("POPIA").

At Netlayer (Pty) Ltd, we are committed to protecting your privacy and to ensure that your personal information is collected and used properly, purposefully, lawfully and transparently. Please read this Netlayer Privacy Policy carefully.

### WHAT IS CONSIDERED "PERSONAL INFORMATION"

"Personal Information" refers to private information about an identifiable person, both living natural persons and identifiable juristic persons (organisations or Associations). In Netlayer terms it includes details such as name and surname, date of birth, contact details (e.g. home/physical address, postal address, e-mail address or phone number), physical location, credit information, banking details and the method by which you will pay any charges to us which shall include details of that method of payment, acceptable to us, including Debit Order, EFT etc.

Other information to which Netlayer is privy and which might be deemed Personal Information may include:

1. "Access Device and Device event information": We may collect information such as your IP address, unique device identifier, MAC address, the nature of the Access Device which you use to access our solutions, the geographic location from which you access our site (i.e. the geographic location of your Access Device), hardware model and settings, operating system type and version, system activity, faults.
2. "Log information": When you use any of the Netlayer solutions, we may automatically collect and store certain information in server logs (which may include "site activity and event information" during your use of our Platform. We also gather this information when our technical staff physically and on an ad hoc basis log into your site to determine faults you may have experienced on our Platform. Additionally, as our business is the provision of Voice and Data services, our systems typically record and store recordings of conversations made over our Platform.
3. "Profile information": We regularly validate or update the profile information we hold on you and by which we identify you or an organisation. This information may include details of our interactions with you, correspondence and tickets logged when either you or Netlayer identify a fault on one of the solutions we provide to you.
4. "Location information": We may use various technologies to determine your actual location and the location of the devices you use to access our Platform, especially when trying to resolve a technical issue
5. "Unique identifier numbers": Certain of our hardware components include a unique device number such as a serial number and/or MAC address. This number allows us to identify the customer's existing installation configuration. Each Netlayer customer is also given a unique customer ID number for ease of accessibility to the customer profile and



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account. Furthermore, device passwords are given to our staff in order for them to access the hardware components making up our solution on the customer sites. This level of identifiable information is required to allow Netlayer to properly service the customer account with us.

## FOR WHAT AND TO WHOM DOES THIS POLICY APPLY

1. Any website, product, service, application and/or platform provided by Netlayer
2. To Netlayer and to you, namely a user of our website, who may or may not be a customer and any users of our products, services, applications and platforms who are most probably Netlayer customers.
3. This Privacy Policy does not apply to other parties' websites, products or services, such as websites linked to, from or advertised on any Netlayer sites or sites, unrelated to Netlayer, which link to or advertise the Netlayer site or services.

## HOW WE COLLECT YOUR PERSONAL INFORMATION

We collect and process your personal information through a variety of both active and passive interactions, primarily to support all aspects of a commercial relationship with you and your business allowing us to offer, deliver and maintain our products and services accordingly. In this regard, information collected will relate to both individuals and organisations.

We strive to collect information directly from the individual or organisation to ensure it is accurate and no more than sufficient for purpose. Where possible, we will inform you what information you are required to provide to us and what information is optional.

Website usage information may be collected passively, using "cookies" which allows us to collect standard internet visitor usage information.

We also collect, passively, transactional type information through interrogation of the devices through which you access our Platform in order to receive service

## HOW WE USE YOUR PERSONAL INFORMATION

We use the information we collect to provide, maintain, and improve the Netlayer services offered, to develop new services, and to protect us, our services and our customers. We constantly strive to improve our customers' experience and so we also use the information we collect in order to offer you information around solutions which are more appropriately tailored for your specific requirements.

To expand, we may use your Personal Information:

1. to retain and make available to you information regarding our service
2. to create your user account/profile with us
3. as a registered user, to notify and authenticate your identity when you contact us
4. to maintain and update our customer, or potential customer, database
5. to fulfil your requests for certain services
6. to diagnose and deal with technical issues and customer support queries and other user queries
7. to detect, prevent or deal with actual or alleged fraud, security or the abuse, misuse or unauthorised use of any of the Netlayer offerings in contravention of this Privacy Policy and our Acceptable Usage Policy
8. to conduct product research and development



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9. to provide you with the latest information about our products and services on offer, provided you have agreed to receive such information
10. to communicate with you and to keep a record of our communications with you and your communications with us
11. to compile non-personal statistical information about browsing habits, click patterns and access to the Netlayer Website
12. to improve the Netlayer service offerings by requesting feedback on our products and services.
13. to fulfil any contractual obligations we may have to you or any third party
14. to improve your user experience and the overall quality of our services
15. to inform you about any changes to any of our products and services, our terms of use, this Privacy Policy or other changes which are relevant to you;
16. for security, administrative and legal purposes;
17. for general good customer relations
18. for assessing your credit worthiness through the use of a credit bureau
19. for other activities not specifically mentioned which are lawful, reasonable, relevant to our business activities and the minimum necessary and adequate in order for us to provide you with the very best products and service.
20. We will request your permission before collecting or using your Personal Information for any other purpose outside of the categories above.

## DISCLOSURE OF PERSONAL INFORMATION

Netlayer reserves the right to disclose information about customers:-

1. when we contract with our service providers who are involved in the delivery of products or services to you on our behalf. We have agreements in place to ensure they comply with the privacy requirements as required by the Protection of Personal Information Act ("POPIA").
2. when we have a duty or a right to disclose in terms of law or industry code of practice.
3. when we believe it is necessary to protect our rights or defend ourselves against legal claim.
4. when you have given us explicit legal written consent to allow us to do so.

## INFORMATION SECURITY

We are legally obliged to provide adequate protection for the personal information we hold and to take measures to prevent the unauthorized access and use of personal information. We will, on an on-going basis, continue to review our security controls and related processes to ensure that your personal information remains secure.

Our security policies and procedures cover:

1. Physical security
2. Computer and network security
3. Protection of Personal Information Act ("POPIA") staff awareness training
4. Access levels of staff to personal information held by us
5. Secure communications and email protocol
6. Security when contracting out activities and functions to 3rd party service providers
7. Retention and disposal of information
8. Acceptable usage of personal information
9. Governance and regulatory issues
10. Monitoring the usage of personal information
11. Investigating and reacting to security incidents and breaches



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12. When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.
13. We will ensure that anyone to whom we pass your personal information, agrees to treat your information with a similar degree of protection as ourselves.

#### **YOUR RIGHTS IN TERMS OF ACCESS TO YOUR INFORMATION**

You have the right to request details of all the personal information we hold regarding you and/or the organisation. To do this, simply contact us at the numbers/addresses provided on our website and specify what information you require. We will need a confirmation of identity before providing details of your personal information. Please note that any such access request may be subject to a payment of a legally allowable fee.

#### **YOUR RIGHTS IN TERMS OF CORRECTION OF YOUR INFORMATION**

You have the right to ask us to update, correct or delete your personal information provided such requests do not negatively impact our ability to complete our contractual obligations to you. We may require confirmation of your identity before making changes to such information.

#### **CHANGES TO OUR PRIVACY POLICY**

Netlayer reserves the right to make changes to this privacy policy or update it. Where a major change is made, customers will be informed by e-mail notification or through a notice on our website. Customers and website visitors bear the responsibility to ensure that they have read the changes or updates as the case may be.

#### **HOW TO CONTACT US**

If you have any queries about this notice; you need further information about our privacy practices; wish to withdraw consent; exercise preferences or access or correct your personal information, please contact us at the numbers/addresses listed on our website and ask for our Information Officer