

RICHARD KERSHAW WINES PROPRIETARY LIMITED
WEBSITE PRIVACY POLICY

1. ABOUT THIS POLICY

- 1.1. This Policy describes how RICHARD KERSHAW WINES processes Personal Information we collect and/or receive from you.
- 1.2. Richard Kershaw Wines is a company, registered according to the laws of the Republic of South Africa.
- 1.3. Richard Kershaw Wines is a “Responsible Party”. This means that we are responsible for deciding how we hold and use Personal Information about you. We are required under data protection legislation to notify you of the information contained in this Privacy Policy.
- 1.4. This Policy applies to all Data Subjects who visit this Website and all Data Subjects whom Richard Kershaw Wines Processes their Personal Information.

2. DEFINITIONS

2.1. For purposes of this Policy:

- 2.1.1. “Data Subject” or “you” means any person to whom the specific Personal Information relates, as contemplated in POPIA;
- 2.1.2. “Richard Kershaw Wines”, “us” or “we” means Richard Kershaw Wines Proprietary Limited;
- 2.1.3. “IO” means the Information Officer of Kershaw Wines;
- 2.1.4. “Personal Information” means information relating to an identifiable, living, natural person, and (where applicable) an identifiable, existing juristic person, including the name, race, gender, marital status, address and identifying number of a person, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 2.1.5. “Privacy Policy” means this Website Privacy Policy;
- 2.1.6. “POPIA” means the Protection of Personal Information, of 2013;
- 2.1.7. “Processing” or “Process” means any activity that involves the use of Personal Information. It includes any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:
 - 2.1.7.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

2.1.7.2. dissemination by means of transmission, distribution or making available in any other form; or

2.1.7.3. merging, linking, as well as restriction, degradation, erasure or destruction of information;

2.1.8. “Special Personal Information” means Personal Information concerning 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 the criminal behaviour of a data subject to the extent that such information relates to the alleged commission by a data subject of any offence; or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings;

2.1.9. “Social Media Platforms” means platforms such as Facebook, LinkedIn, Twitter, Pinterest, YouTube, Instagram, WeChat, WhatsApp, TikTok, blogs and all other similar social media or communication platforms; and

2.1.10. “Website” means Richard Kershaw Wines’ website, <https://kershawwines.com/>.

3. INFORMATION WE COLLECT AND RECEIVE

It is not mandatory for you to provide us with your personal information to access this Website, however, in certain instances where you choose not to do so we may not be able to interact with you. Where you do provide us with your Personal Information you consent to us Processing your Personal Information in accordance with this Privacy Policy. We collect and receive Personal Information about you in the following ways:

3.1. Information you give us

This includes any Personal Information that you provide to us directly:

3.1.1. when you sign-up to utilise our services, inquire about our products, submit orders for our products, or subscribe to the database;

3.1.2. by filling in forms on our website, or those provided to you;

3.1.3. when you enter a competition, promotion or complete a survey;

3.1.4. by posting comments or content on our social media Platforms;

3.1.5. when you contact us or we contact you and you provide Personal Information directly to us, either on our website, via email, via SMS, via messenger applications, etc.; or

3.1.6. when you visit our premises, make a reservation to visit our premises, or register to attend an event or function.

3.2. Personal Information we collect

When you register to use our services or buy our products, you will be required to provide us with the following Personal Information, your:

3.2.1. name and surname;

3.2.2. contact number and email address;

3.2.3. physical address;

3.2.4. identity or passport number;

3.2.5. date of birth;

3.2.6. age;

3.2.7. gender;

3.2.8. nationality;

3.2.9. photographs;

3.2.10. financial information, including credit information; and

3.2.11. Special Personal Information, specifically health information.

3.3. Information we collect or receive when you use our Website or Social Media Platforms

We collect Personal Information when you use Websites or Social Media Platforms by using cookies, web beacons and other technologies. Depending on how you access and use websites, we may receive:

3.3.1. log information;

3.3.2. information we infer about you based on your interaction with products and services;

3.3.3. device information (for example the type of device you're using, how you access platforms, your browser or operating system and your Internet Protocol ("IP") address); and

3.3.4. location information.

The information we collect from cookies enables us to tailor our Website to your personal needs, remember the notifications that you have been shown, so that you are not shown them again, help us find information once you have logged in, help us link your browsing information to you and your Personal Information (for example, when you choose to register for a service), and make improvements and updates to our Website based on the way you want to use them. To ensure you get the best possible experience when visiting our Website, we recommend that you accept cookies. However, you can opt out of cookies by disabling cookies in your web browser. If you disable cookies you may not be able to use these features, and your access to our Website will be limited.

3.4. Information from third-party sources

We generally collect your Personal Information directly from you, however, in some instances, we may receive additional Personal Information about you that is publicly or commercially available and combine that with the Personal Information we have collected or received about you in other ways.

3.5. Special Personal Information

In limited circumstances, we may collect your Special Personal Information. When we Process your Special Personal Information, we will ensure that we get your consent to do so.

4. HOW WE USE THE INFORMATION WE COLLECT AND RECEIVE

We use the Personal Information we collect and receive for the following general purposes:

- 4.1. to provide you with information, products or services you request from us;
- 4.2. in order to refer you to an appropriate third-party service provider;
- 4.3. to communicate with you;
- 4.4. to provide you with support;
- 4.5. for credit vetting, verifications and assessments including, but not limited to, obtaining your credit information and records;

- 4.6. to provide effective advertising (for example to provide you with news, special offers and general information about other goods, services, and events which we offer, that are similar to those that you have already hired or enquired about); and
- 4.7. to conclude contracts for services or products with you or perform our obligations to you in terms of a contract.

5. HOW WE SHARE THE INFORMATION WE COLLECT AND RECEIVE

- 5.1. We don't sell your Personal Information to third parties for their marketing purposes.
- 5.2. We may share Personal Information with:
 - 5.2.1. Richard Kershaw Wines stakeholders, such as our affiliates and companies in our group;
 - 5.2.2. we may disclose your Personal Information to a limited number of our employees and third-party service providers (other than those whom we refer you to), whom we assist you to interact with;
 - 5.2.3. our business partners. We may share non-Personal Information with select business partners;
 - 5.2.4. other parties in response to legal processes or when necessary to conduct or protect our legal rights;
 - 5.2.5. companies that provide services to us. Companies that provide services to us or act on our behalf may have access to information about you. These companies are limited in their ability to use the information they receive while providing services to us or you; and
 - 5.2.6. third parties where you provide consent. In some cases, third parties (often advertisers) may wish to attain information about you to promote their products to you, or for whatever other reason. We may share Personal Information with third parties where you provide consent in the form of an explicit opt-in. Before we ask you to opt-in, we will endeavour to provide you with a clear description of what data would be shared with the third party. Remember that once you have opted in to allow us to send your Personal Information to a third party, we cannot control what they do with your data; therefore, be sure to investigate their privacy policies before providing permission for us to share your information.

6. YOUR RIGHTS

- 6.1. You have the right to ask us not to contact you for marketing purposes. You can exercise this right at any time by using any of the various "opt-out" options that we will always provide to you when we communicate with you. We won't send you marketing messages if you tell us not to, but we will still need to send you service-related messages.
- 6.2. Our website use cookies. If you wish to reject our cookies, you can configure your browser to do so.
- 6.3. We want to make sure that any data we hold about you is up to date. So, if you think your Personal Information is inaccurate, you can ask us to correct or remove it.

7. RETENTION OF DATA

We will retain your Personal Information only for as long as is necessary for the purposes set out in this Privacy Policy or to comply with our legal obligations, resolve disputes, and enforce our legal agreements and policies.

8. OUR COMMITMENT TO SECURITY

The security of your data is important to us. While we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security. However, we do employ several safeguards intended to mitigate the risk of unauthorized access or disclosure of your Personal Information. We will do our best to protect your Personal Information and we will use up-to-date technology that will help us to do this. We will always comply with our obligation under applicable law.

9. TRANSFER OF DATA

- 9.1. We are based in and operate from South Africa. Your information, including Personal Information, may be transferred to and maintained on servers located outside of your country of residence, where the data privacy laws, regulations and standards, may not be equivalent to the laws in your country of residence.
- 9.2. We will transfer your Personal Information to places outside of South Africa and store it there, where our suppliers might Process it. If that happens, your Personal Information will only be transferred to and stored in a country that has an equivalent, or better, data protection legislation than South Africa, with a service provider which is subject to an agreement requiring it to comply with data protection requirements equivalent or better than those applicable in South Africa, with our affiliates who Process Personal Information in accordance with the same or similar principles as we are required to do under POPIA, or the transfer is necessary in order to provide the services that are required by Richard Kershaw Wines' customers and employees.
- 9.3. Your use of our website, followed by your submission of Personal Information to us, represents your consent to such transfer.

9.4. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy.

10. LINKS TO OTHER WEBSITES

Our Website or Social Media Platforms may contain links to and from websites, mobile applications or services of third parties, advertisers or affiliates. Please note that we are not responsible for the privacy practices of such other parties and advise you to read the privacy statements of each website you visit which collects Personal Information.

12. ACCESS TO, CORRECTION AND DELETION OF YOUR PERSONAL INFORMATION

12.1. You may request details of Personal Information which we hold about you under the Promotion of Access to Information Act, 2000 (“PAIA”). Fees to obtain a copy or a description of Personal Information held about you are prescribed in terms of PAIA. Confirmation of whether we hold Personal Information about you may be requested free of charge.

12.2. You may request the correction of Personal Information Richard Kershaw Wines holds about you. Please ensure that the Personal Information we hold about you is complete, accurate and up to date. If you fail to keep your Personal Information updated, or if your Personal Information is incorrect, Richard Kershaw Wines may limit the products and services offered to you or elect not to open the account.

12.3. You have a right in certain circumstances to request the destruction or deletion of and, where applicable, to obtain restriction on the Processing of Personal Information held about you. If you wish to exercise this right, please contact us using the contact details set out below in clause 14.

12.4. You have a right to object on reasonable grounds to the Processing of your Personal Information where the Processing is carried out to protect our legitimate interests or your legitimate interests unless the law provides for such Processing.

13. COMPLAINTS

13.1. Should you believe that Richard Kershaw Wines has utilised your Personal Information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns with us.

13.2. If you are not satisfied with such process, you may have the right to lodge a complaint with the Information Regulator, using the contact details listed below:

E-mail address: POPIAComplaints@inforegulator.org.za

Physical address: JD House
27 Stiemens Street

Braamfontein
Johannesburg, 2001

14. IO CONTACT DETAILS

If you have any comments or questions about this Statement or how we handle your Personal Information, please contact the IO.

IO Name: Sarah du Plessis

E-mail address: info@richardkershawwines.co.za