PRIVACY NOTICE AND INFORMED CONSENT NOTICE

CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF INFORMATION ACT, 4 OF 2013 (POPIA)

(EMAIL, WEBSITE AND SOCIAL MEDIA PRIVACY NOTICE)

The Protection of Personal Information Act, 4 of 2013 (POPIA) gives effect to the constitutional right to data privacy in terms of Section 14 of the Bill of Rights of the Constitution.

The responsible use of the ACTIVO HEALTH (PTY) LTD website and related resources in respect of data privacy is important to ACTIVO HEALTH (PTY) LTD.

Whilst ACTIVO HEALTH (PTY) LTD is committed to protecting all person's rights to privacy and who in consequence will ensure that all person's Personal Information is used appropriately, transparently, and according to applicable law, the ACTIVO HEALTH (PTY) LTD must ensure that these rights to privacy are balanced with other rights such as the right to use and have access to the ACTIVO HEALTH (PTY) LTD Information and Services including its online and social media platforms and applications.

This Policy sets out the responsibilities and obligations of all persons who make use of, or access or receive ACTIVO HEALTH (PTY) LTD Information and Communications via its electronic communication facilities and resources including its website, email and social media platforms and how all users of these facilities and resources are to ensure that when using these resources that they respect and process another's Personal Information lawfully and in accordance with the provisions of POPIA and the 8 Personal Information Processing Principles.

PLEASE READ THE DOCUMENT BEFORE YOU MAKE USE OF THE ACTIVO HEALTH (PTY) LTDELECTRONIC FACILITIES OR PROVIDE ACTIVO HEALTH (PTY) LTDWITH ANY PERSONAL INFORMATION. BY PROVIDING ACTIVO HEALTH (PTY) LTDWITH YOUR PERSONAL INFORMATION, YOU CONSENT TO THE ACTIVO HEALTH (PTY) LTDPROCESSING YOUR PERSONAL INFORMATION, WHICH ACTIVO HEALTH (PTY) LTDUNDERTAKES TO PROCESS STRICTLY IN ACCORDANCE WITH THIS PRIVACY POLICY.

1. DEFINITIONS

In this Policy (as defined below), unless the context requires otherwise, the following words and expressions bear the meanings assigned to them and cognate expressions bear corresponding meanings–

1.1 **"Child"** means any natural person under the age of 18 (eighteen) years;

1.2 **"Data Breach"** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Information under the control of or in the possession of ACTIVO HEALTH (PTY) LTD;

1.3 **"Data Subject"** has the meaning ascribed thereto under POPIA;

1.4 **"Direct Marketing"** means to approach a person, by electronic communication, for the purpose of promoting or offering to supply, in the ordinary course of business, any goods or services to the data subject;

1.5 **"Direct Marketer"** means a supplier who employs Direct Marketing as an advertising mechanism;

1.6 **"Employees"** means any employee of ACTIVO HEALTH (PTY) LTD;

1.7 "Government" means the Government of the Republic of South Africa;

1.8 **"**ACTIVO HEALTH (PTY) LTD**"** means the COMPANY, registration number 2009 / 009541 / 07, with its registered address at 2 Waterford Mews, Waterford Place, Century City, 7441, Cape Town, South Africa;

1.9 **"Operator"** means a person or entity who Processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that Responsible Party;

1.10 **"PAIA"** means the Promotion of Access to Information Act, No 2 of 2000;

1.11 **"Personal Information"** has the meaning ascribed thereto under POPIA and specifically includes any form of information that can be used to identify a Data Subject;

1.12 **"Policy"** means this Privacy Policy;

1.13 **"POPIA"** means the Protection of Personal Information Act No. 4 of 2013;

1.14 **"Processing"** has the meaning ascribed thereto under POPIA. "Process" has a corresponding meaning;

1.15 **"Regulator"** means the Information Regulator established in terms of POPIA;

1.16 **"Responsible Party"** means a public or private body or any other person which alone or in conjunction with others, determines the purpose of and means for Processing Personal Information;

1.17 **"Special Personal Information"** means Personal Information concerning a Data Subject's religious or philosophical beliefs, race or ethnic origin, trade union membership, political opinions, health, sexual life, biometric information, or criminal behaviour; and

1.18 **"Third Party"** means any independent contractor, agent, consultant, sub-contractor, or other representative of ACTIVO HEALTH (PTY) LTD.

2. PURPOSE OF THIS POLICY

2.1 The purpose of this Policy is to inform Data Subjects about how ACTIVO HEALTH (PTY) LTD Processes their Personal Information.

2.2 ACTIVO HEALTH (PTY) LTD, in its capacity as Responsible Party (and/or Operator, where applicable), shall strive to observe, and comply with its obligations under POPIA as well as accepted information

protection principles, practices and guidelines when it Processes Personal Information from or in respect of a Data Subject.

2.3 This Policy applies to Personal Information collected by ACTIVO HEALTH (PTY) LTD in connection with the products and services which ACTIVO HEALTH (PTY) LTD provides. This includes information collected directly from you as a Data Subject, as well as information we collect indirectly though our service providers who collect your information on our behalf.

2.4 This Privacy Policy does not apply to the information practices of Third-Party companies who we may engage with in relation to our business operations (including, without limitation, their websites, platforms and/or applications) which we do not own or control; or individuals that ACTIVO HEALTH (PTY) LTD does not manage or employ. These Third-Party sites may have their own privacy policies and terms and conditions, and we encourage you to read them before using them.

3. PROCESS OF COLLECTING PERSONAL INFORMATION

3.1 ACTIVO HEALTH (PTY) LTD collects Personal Information directly from Data Subjects as and when required for a defined purpose, unless an exception is applicable (such as, for example, where the Data Subject has made the Personal Information public, or the Personal Information is contained in or derived from a public record).

3.2 ACTIVO HEALTH (PTY) LTD will always collect Personal Information in a fair, lawful and reasonable manner to ensure that it protects the Data Subject's privacy and will Process the Personal Information based on legitimate grounds in a manner that does not adversely affect the Data Subject in question.

3.3 ACTIVO HEALTH (PTY) LTD often collects Personal Information directly from the Data Subject and/or in some cases, from Third Parties. Where ACTIVO HEALTH (PTY) LTD obtains Personal Information from Third Parties, ACTIVO HEALTH (PTY) LTD will ensure that it obtains the consent of the Data Subject to do so or will only Process the Personal Information without the Data Subject's consent where ACTIVO HEALTH (PTY) LTD is permitted to do so in terms of clause 3.1 above or the applicable law.

3.4 An example of such Third Parties includes: (i) recruitment agencies; (ii) other companies providing services to ACTIVO HEALTH (PTY) LTD; and (iii) where ACTIVO HEALTH (PTY) LTD makes use of publicly available sources of information (e.g., the Companies and Intellectual Property Commission, an agency of the Department of Trade and Industry in South Africa (CIPC)).

4. LAWFUL PROCESSING OF PERSONAL INFORMATION

4.1 Where ACTIVO HEALTH (PTY) LTD is the Responsible Party, it will only Process a Data Subject's Personal Information (other than for Special Personal Information) where –

4.1.1 consent of the Data Subject (or a competent person, where the Data Subject is a Child) is obtained;

4.1.2 Processing is necessary to carry out the actions for conclusion of a contract to which a Data Subject is party;

4.1.3 Processing complies with an obligation imposed by law on ACTIVO HEALTH (PTY) LTD;

4.1.4 Processing protects a legitimate interest of the Data Subject; and/or

4.1.5 Processing is necessary for pursuing the legitimate interests of ACTIVO HEALTH (PTY) LTD or of a third party to whom the information is supplied.

4.2 ACTIVO HEALTH (PTY) LTD will only Process Personal Information where one of the legal bases referred to in paragraph 4.1 above are present.

4.3 ACTIVO HEALTH (PTY) LTD will make the manner and reason for which the Personal Information will be Processed clear to the Data Subject.

4.4 Where ACTIVO HEALTH (PTY) LTD is relying on a Data Subject's consent as the legal basis for Processing Personal Information, the Data Subject may withdraw his/her/its consent or may object to ACTIVO HEALTH (PTY) LTD Processing of the Personal Information at any time. However, this will not affect the lawfulness of any Processing carried out prior to the withdrawal of consent or any Processing justified by any other legal ground provided under POPIA.

4.5 If the consent is withdrawn or if there is otherwise a justified objection against the use or the Processing of such Personal Information, ACTIVO HEALTH (PTY) LTD will ensure that the Personal Information is no longer Processed.

5. SPECIAL PERSONAL INFORMATION AND PERSONAL INFORMATION OF CHILDREN

5.1 Special Personal Information is sensitive Personal Information of a Data Subject and ACTIVO HEALTH (PTY) LTD acknowledges that it will generally not Process Special Personal Information unless –

5.1.1 Processing is carried out in accordance with the Data Subject's consent;

5.1.2 Processing is necessary for the establishment, exercise or defence of a right or obligation in law;

5.1.3 Processing is for historical, statistical or research purposes, subject to stipulated safeguards;

5.1.4 information has deliberately been made public by the Data Subject; or

5.1.5 specific authorisation applies in terms of POPIA.

5.2 ACTIVO HEALTH (PTY) LTD acknowledges that it may not Process any Personal Information concerning a Child and will only do so where it has obtained the consent of the parent or guardian of that Child or where it is permitted to do so in accordance with applicable laws.

6. PURPOSE FOR PROCESSING PERSONAL INFORMATION

6.1 ACTIVO HEALTH (PTY) LTD understands its obligation to make Data Subjects aware of the fact that it is Processing their Personal Information and inform them of the purpose for which ACTIVO HEALTH (PTY) LTD Processes such Personal Information.

6.2 ACTIVO HEALTH (PTY) LTD will only Process a Data Subject's Personal Information for a specific, lawful and clear purpose (or for specific, lawful and clear purposes) and will ensure that it makes the Data Subject aware of such purpose(s) as far as possible.

6.3 It will ensure that there is a legal basis for the Processing of any Personal Information. Further, ACTIVO HEALTH (PTY) LTD will ensure that Processing will relate only to the purpose for and of which the Data Subject has been made aware (and where relevant, consented to) and will not Process any Personal Information for any other purpose(s).

6.4 ACTIVO HEALTH (PTY) LTD will generally use Personal Information for purposes required to operate and manage its normal operations and these purposes include one or more of the following non-exhaustive purposes –

6.4.1.1 for the purposes of providing its products or services to customers and where relevant, for purposes of doing appropriate customer onboarding and credit vetting

6.4.1.2 for purposes of onboarding suppliers or service providers as approved suppliers/service providers of ACTIVO HEALTH (PTY) LTD. For this purpose, ACTIVO HEALTH (PTY) LTD will also Process a service provider's/supplier's Personal Information for purposes of performing the necessary due diligence checks;

6.4.1.3 generally for procurement and supply purposes;

6.4.1.4 for purposes of monitoring the use of ACTIVO HEALTH (PTY) LTD electronic systems and online platforms by Data Subjects. ACTIVO HEALTH (PTY) LTD will, from time to time, engage third party service providers (who will Process the Data Subject's Personal Information on behalf of ACTIVO HEALTH (PTY) LTD) to facilitate this;

6.4.1.5 for purposes of preventing, discovering and investigating violations of this Policy, the applicable law and other ACTIVO HEALTH (PTY) LTD policies;

6.4.1.6 in connection with the execution of payment processing functions, including payment of ACTIVO HEALTH (PTY) LTD suppliers'/service providers' invoices;

6.4.1.7 for employment-related purposes such as recruiting staff, administering payroll, background checks, etc.;

6.4.1.8 in connection with internal audit purposes (i.e., ensuring that the appropriate internal controls are in place in order to mitigate the relevant risks, as well as to carry out any investigations where this is required);

6.4.1.9 in connection with external audit purposes. For this purpose, ACTIVO HEALTH (PTY) LTD engages external service providers and, in so doing, shares Personal Information of the Data Subjects with third parties;

6.4.1.10 for company secretarial related purposes. For this purpose, ACTIVO HEALTH (PTY) LTD will, from time to time, collect information relating to Data Subjects from third parties such as the Companies and Intellectual Property Commission, an agency of the Department of Trade and Industry in South Africa

6.4.1.11 for such other purposes to which the Data Subject may consent from time to time;

6.4.1.12 for such other purposes as authorised in terms of applicable law; and

6.4.1.13 to comply with any applicable law or any query from Government authorities, including any regulatory authority that has authority over ACTIVO HEALTH (PTY) LTD.

7. KEEPING PERSONAL INFORMATION ACCURATE

7.1 ACTIVO HEALTH (PTY) LTD will take reasonable steps to ensure that all Personal Information is kept as accurate, complete, and up to date as reasonably possible depending on the purpose for which Personal Information is collected or further processed.

7.2 ACTIVO HEALTH (PTY) LTD may not always expressly request the Data Subject to verify and update his/her/its Personal Information unless this process is specifically necessary.

7.3 ACTIVO HEALTH (PTY) LTD, however, expects that the Data Subject will notify ACTIVO HEALTH (PTY) LTD from time to time in writing of any updates required in respect of his/her/its Personal Information.

8. STORAGE AND PROCESSING OF PERSONAL INFORMATION BY ACTIVO HEALTH (PTY) LTD AND THIRD-PARTY SERVICE PROVIDERS

8.1 ACTIVO HEALTH (PTY) LTD may store your Personal Information in hardcopy format and/or in electronic format using ACTIVO HEALTH (PTY) LTD own secure on-site servers or other internally hosted technology. Your Personal Information may also be stored by Third Parties, via cloud services or other technology, with whom ACTIVO HEALTH (PTY) LTD has contracted with, to support ACTIVO HEALTH (PTY) LTD operations as a manufacturing company.

8.2 ACTIVO HEALTH (PTY) LTD Third-Party service providers, including data storage and processing providers, may from time to time also have access to a Data Subject's Personal Information in connection with purposes for which the Personal Information was initially collected to be Processed.

8.3 ACTIVO HEALTH (PTY) LTD will ensure that such Third-Party service providers will Process the Personal Information in accordance with the provisions of this Policy, all other relevant internal policies and procedures and POPIA.

8.4 These Third Parties do not use or have access to the Data Subject's Personal Information other than for purposes specified by ACTIVO HEALTH (PTY) LTD, and ACTIVO HEALTH (PTY) LTD requires such parties to employ at least the same level of security that ACTIVO HEALTH (PTY) LTD uses to protect the Data Subject's personal data.

8.5 Your Personal Information may be Processed in South Africa or another country where ACTIVO HEALTH (PTY) LTD, its affiliates and their Third-Party service providers maintain servers and facilities and ACTIVO HEALTH (PTY) LTD will take steps, including by way of contracts, to ensure that it continues to be protected, regardless of its location, in a manner consistent with the standards of protection required under applicable law, including POPIA

9. PERSONAL INFORMATION FOR DIRECT MARKETING PURPOSES

9.1 To the extent that ACTIVO HEALTH (PTY) LTD acts in its capacity as a Direct Marketer, it shall strive to observe and comply with its obligations under POPIA when implementing principles and practices in relation to Direct Marketing.

9.2 ACTIVO HEALTH (PTY) LTD acknowledges that it may only use Personal Information to contact the Data Subject for purposes of Direct Marketing from time to time where it is permissible to do so.

9.3 It may use Personal Information to contact any Data Subject and/or market ACTIVO HEALTH (PTY) LTD services directly to the Data Subject(s) if the Data Subject is one of ACTIVO HEALTH (PTY) LTD existing clients, the Data Subject has requested to receive marketing material from ACTIVO HEALTH (PTY) LTD or ACTIVO HEALTH (PTY) LTD has the Data Subject's consent to market its services directly to the Data Subject.

9.4 If the Data Subject is an existing client, ACTIVO HEALTH (PTY) LTD will only use his/her/its Personal Information if it has obtained the Personal Information through the provision of a service to the Data Subject and only in relation to similar services to the ones ACTIVO HEALTH (PTY) LTD previously provided to the Data Subject.

9.5 ACTIVO HEALTH (PTY) LTD will ensure that a reasonable opportunity is given to the Data Subject to object to the use of their Personal Information for ACTIVO HEALTH (PTY) LTD marketing purposes when collecting the Personal Information and when each communication to the Data Subject for purposes of Direct Marketing.

9.6 ACTIVO HEALTH (PTY) LTD will not use your Personal Information to send you marketing materials if you have requested not to receive them. If you request that we stop Processing your Personal Information for marketing purposes, ACTIVO HEALTH (PTY) LTD shall do so. We encourage that such requests to opt-out of marketing be made via forms and links provided for that purpose in the marketing materials sent to you.

10. RETENTION OF PERSONAL INFORMATION

10.1 ACTIVO HEALTH (PTY) LTD may keep records of the Personal Information, correspondence, or comments it has collected in an electronic or hardcopy file format.

10.2 In terms of POPIA, ACTIVO HEALTH (PTY) LTD may not retain Personal Information for a period longer than is necessary to achieve the purpose for which it was collected or processed and is required

to delete, destroy (in such a way that it cannot be reconstructed) or de-identify the information as soon as is reasonably practicable once the purpose has been achieved. This prohibition will not apply in the following circumstances –

10.2.1 where the retention of the record is required or authorised by law or by any Government authority;

10.2.2 ACTIVO HEALTH (PTY) LTD requires the record to fulfil its lawful functions or activities;

10.2.3 retention of the record is required by a contract between the parties thereto;

10.2.4 the Data Subject (or competent person, where the Data Subject is a Child) has consented to such longer retention; or

10.2.5 the record is retained for historical, research, archival or statistical purposes provided safeguards are put in place to prevent use for any other purpose. Accordingly, ACTIVO HEALTH (PTY) LTD will, subject to the exceptions noted in this Policy, retain Personal Information for as long as necessary to fulfil the purposes for which that Personal Information was collected and/or as permitted or required by applicable law.

10.3 Where ACTIVO HEALTH (PTY) LTD retains Personal Information for longer periods for statistical, historical, archival or research purposes, ACTIVO HEALTH (PTY) LTD will ensure that appropriate safeguards have been put in place to ensure that all recorded Personal Information will continue to be Processed in accordance with this Policy and applicable laws.

10.4 Once the purpose for which the Personal Information was initially collected and Processed no longer applies or becomes obsolete, ACTIVO HEALTH (PTY) LTD will ensure that the Personal Information is deleted, destroyed or de-identified sufficiently so that a person cannot re-identify such Personal Information. In instances where we de-identify your Personal Information, ACTIVO HEALTH (PTY) LTD may use such de-identified information indefinitely.

11. FAILURE TO PROVIDE PERSONAL INFORMATION

11.1 Should ACTIVO HEALTH (PTY) LTD need to collect Personal Information by law or under its obligations as an employer or product or service provider, and you fail to provide the Personal Information when requested, we may be unable to perform our duties as an employer, in terms of the applicable law or in terms of providing the product to you.

11.2 Should ACTIVO HEALTH (PTY) LTD need to collect Personal Information for any of the purposes set out in clause 11.1 and you fail to provide the Personal Information when requested, your failure to provide such Personal Information may have negative consequences, including that ACTIVO HEALTH (PTY) LTD may not be able to effectively perform its obligations as an employer (where ACTIVO HEALTH (PTY) LTD needs to Process your Personal Information in order to perform its obligations as an employer) or product or service provider (where ACTIVO HEALTH (PTY) LTD needs to Process your Personal Information in order to provide you with its products or services), have to decline to receive the relevant services from you as a supplier, and you will be notified where this is the case.

12. SAFE-KEEPING OF PERSONAL INFORMATION

12.1 ACTIVO HEALTH (PTY) LTD shall preserve the security of Personal Information and prevent its alteration, loss and damage, or access by non-authorised third parties.

12.2 ACTIVO HEALTH (PTY) LTD will ensure the security and integrity of Personal Information in its possession or under its control with appropriate, reasonable technical and organisational measures to prevent loss, unlawful access and unauthorised destruction of Personal Information.

12.3 ACTIVO HEALTH (PTY) LTD has implemented physical, organisational, contractual, and technological security measures (having regard to generally accepted information security practices or industry specific requirements or professional rules) to keep all Personal Information secure, including measures protecting any Personal Information from loss or theft, and unauthorised access, disclosure, copying, use or modification. Further, ACTIVO HEALTH (PTY) LTD maintains and regularly verifies that the security measures are effective and regularly updates same in response to new risks.

13. BREACHES OF PERSONAL INFORMATION

13.1 A Data Breach refers to any incident in terms of which reasonable grounds exist to believe that the Personal Information of a Data Subject has been accessed or acquired by any unauthorised person.

13.2 A Data Breach can happen for many reasons, which include: (a) loss or theft of data or equipment on which Personal Information is stored; (b) inappropriate access controls allowing unauthorised use; (c) equipment failure; (d) human error; (e) unforeseen circumstances, such as a fire or flood; (f) deliberate attacks on systems, such as hacking, viruses or phishing scams; and/or (g) alteration of Personal Information without permission and loss of availability of Personal Information.

13.3 ACTIVO HEALTH (PTY) LTD will address any Data Breach in accordance with the terms of POPIA.

13.4 ACTIVO HEALTH (PTY) LTD will notify the Regulator and the affected Data Subject (unless the applicable law or a government authority requires that we delay notification to the Data Subject) in writing in the event of a Data Breach (or a reasonable belief of a Data Breach) in respect of that Data Subject's Personal Information.

13.5 ACTIVO HEALTH (PTY) LTD will provide such notification as soon as reasonably possible after it has become aware of any Data Breach in respect of such Data Subject's Personal Information.

13.6 Where ACTIVO HEALTH (PTY) LTD acts as an 'Operator' for purposes of POPIA and should any Data Breach affect the data of Data Subjects whose information ACTIVO HEALTH (PTY) LTD Processes as an Operator, ACTIVO HEALTH (PTY) LTD shall (in terms of POPIA) notify the relevant Responsible Party immediately where there are reasonable grounds to believe that the Personal Information of relevant Data Subjects has been accessed or acquired by any unauthorised person.

14. PROVISION OF PERSONAL INFORMATION TO THIRD PARTY SERVICE PROVIDERS

14.1 ACTIVO HEALTH (PTY) LTD may disclose Personal Information to Third Parties and will enter into written agreements with such Third Parties to ensure that they Process any Personal Information in accordance with the provisions of this Policy, and POPIA.

14.2 ACTIVO HEALTH (PTY) LTD notes that such Third Parties may assist ACTIVO HEALTH (PTY) LTD with the purposes listed in paragraph 6.3 above – for example, service providers may be used, inter alia,

14.2.1 for data storage;

14.2.2 to assist ACTIVO HEALTH (PTY) LTD with auditing processes (external auditors);

14.2.3 for providing outsourced services to ACTIVO HEALTH (PTY) LTD, including in respect of its (i) legal, (ii) data storage requirements and (iii) upskilling of its Employees; and/or

14.2.4 to notify the Data Subjects of any pertinent information concerning ACTIVO HEALTH (PTY) LTD.

14.3 ACTIVO HEALTH (PTY) LTD will disclose Personal Information with the consent of the Data Subject or if ACTIVO HEALTH (PTY) LTD is permitted to do so without such consent in accordance with applicable laws.

14.4 Further, ACTIVO HEALTH (PTY) LTD may also send Personal Information to a foreign jurisdiction outside of the Republic of South Africa, including for Processing and storage by Third Parties.

14.5 When Personal Information is transferred to a jurisdiction outside of the Republic of South Africa including to any cloud, data centre or server located outside of the South Africa, ACTIVO HEALTH (PTY) LTD will obtain the necessary consent to transfer the Personal Information to such foreign jurisdiction or may transfer the Personal Information where ACTIVO HEALTH (PTY) LTD is permitted to do so in accordance with the provisions applicable to cross-border flows of Personal Information under POPIA.

14.6 The Data Subject should also take note that the Processing of Personal Information in a foreign jurisdiction, if and to the extent such Processing does occur, may be subject to the laws of the country in which the Personal Information is held, and may be subject to disclosure to the governments, courts of law, enforcement, or regulatory agencies of such other country, pursuant to the laws of such country.

15. USE OF WEBSITE COOKIES

15.1 Our website uses cookies, which are small text files sent by a web server to store on a web browser. They are used to ensure websites function properly, store user preferences when needed and collect anonymous statistics on website usage.

15.2 You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting, you may be unable to access certain parts of our website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to the website. If you accept a “cookie” or fail to deny the use of “cookies”, you agree that we may use your personal information collected using “cookies” (subject to the provisions of this Policy). Where you either reject or decline cookies, you are informed that you may not be able to fully experience the interactive features of our website.

16. ACCESS TO PERSONAL INFORMATION

16.1 POPIA read with the relevant provisions of the Promotion of Access to Information Act, No. 2 of 2000 **("PAIA")** confers certain access rights on Data Subjects. These rights include –

16.1.1 **a right of access:** a Data Subject having provided adequate proof of identity has the right to: (i) request a Responsible Party to confirm whether any Personal Information is held about the Data Subject; and/or (ii) request from a Responsible Party a description of the Personal Information held by the Responsible Party including information about Third Parties who have or have had access to the Personal Information. A Data Subject may request:

16.1.1.1 ACTIVO HEALTH (PTY) LTD to confirm, free of charge, whether it holds any Personal Information about him/her/it; and

16.1.1.2 to obtain from ACTIVO HEALTH (PTY) LTD the record or description of Personal Information concerning him/her/it and any information regarding the recipients or categories of recipients who have or had access to the Personal Information. Such record or description is to be provided: (a) within a reasonable time; and (b) in a reasonable manner and format and in a form that is generally understandable.

16.1.2 **a right to request correction or deletion:** a Data Subject may also request ACTIVO HEALTH (PTY) LTD to -

16.1.2.1 correct or delete Personal Information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or

16.1.2.2 destroy or delete a record of Personal Information about the Data Subject that ACTIVO HEALTH (PTY) LTD is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
On receipt of such a request, ACTIVO HEALTH (PTY) LTD is required to, as soon as is reasonably practicable –

16.1.2.2.1 correct the information;

16.1.2.2.2 delete or destroy the information;

16.1.2.2.3 provide the Data Subject with evidence in support of the information; or

16.1.2.2.4 where the Data Subject and Responsible Party cannot reach agreement on the request and if the Data Subject requests this, ACTIVO HEALTH (PTY) LTD will take reasonable steps to attach to the information an indication that correction has been requested but has not been made;

16.1.3 **a right to withdraw consent and to object to processing:** a Data Subject that has previously consented to the Processing of his/her/its Personal Information has the right to withdraw such consent and may do so by providing ACTIVO HEALTH (PTY) LTD with notice to such effect at the address set out in

paragraph 20. Further, a Data Subject may object, on reasonable grounds, to the Processing of Personal Information relating to him/her/it.

16.2 Accordingly, ACTIVO HEALTH (PTY) LTD may request the Data Subject to provide sufficient identification to permit access to, or provide information regarding the existence, use or disclosure of the Data Subject's Personal Information. Any such identifying information shall only be used for the purpose of facilitating access to or information regarding the Personal Information.

16.3 The Data Subject can request in writing to review any Personal Information about the Data Subject that ACTIVO HEALTH (PTY) LTD holds including Personal Information that ACTIVO HEALTH (PTY) LTD has collected, utilised, or disclosed.

16.4 ACTIVO HEALTH (PTY) LTD shall respond to these requests in accordance with POPIA and PAIA and provide the Data Subject with any such Personal Information to the extent required by law and any of ACTIVO HEALTH (PTY) LTD policies and procedures which apply in terms of the PAIA.

16.5 The Data Subject can challenge the accuracy or completeness of his/her/its Personal Information in ACTIVO HEALTH (PTY) LTD records at any time in accordance with the process set out in the PAIA Manual for accessing information.

16.6 If a Data Subject successfully demonstrates that their Personal Information in ACTIVO HEALTH (PTY) LTD records are inaccurate or incomplete, ACTIVO HEALTH (PTY) LTD will ensure that such Personal Information is amended or deleted as required (including by any Third Parties).

17. TIME PERIODS

17.1 ACTIVO HEALTH (PTY) LTD will respond to each written request of a Data Subject not later than 30 (thirty) days after receipt of such requests. Under certain circumstances, ACTIVO HEALTH (PTY) LTD may, however, extend the original period of 30 days once for a further period of not more than 30 (thirty) days.

17.2 A Data Subject has the right to make a complaint to ACTIVO HEALTH (PTY) LTD in respect of this time limit by contacting ACTIVO HEALTH (PTY) LTD using the contact details provided in paragraph 20 below.

18. COSTS TO ACCESS TO PERSONAL INFORMATION

The prescribed fees to be paid for copies of the Data Subject's Personal Information are listed in the PAIA Manual. The Manual is compiled in terms of sections 14 and 51 of the Promotion of Access to Information Act, 2 of 2000 ("PAIA") and to address the requirements of the Protection of Personal Information Act, 4 of 2013 ("POPIA")

19. CHANGES TO THIS POLICY

19.1 ACTIVO HEALTH (PTY) LTD reserves the right to make amendments to this Policy from time to time and will use reasonable efforts to notify Data Subjects of such amendments.

19.2 The current version of this Policy will govern the respective rights and obligations between the Data Subject and ACTIVO HEALTH (PTY) LTD each time that the Data Subject access and use ACTIVO HEALTH (PTY) LTD site.

20. CONTACTING US

20.1 All comments, questions, concerns or complaints regarding your Personal Information or this Policy, should be forwarded to us as follows — info@activo.co.za or ACTIVO HEALTH (PTY) LTD Company Administrator, 2 Waterford Mews, Waterford Place, Century City, Cape Town, 7441, South Africa.

20.2 If a Data Subject is unsatisfied with the manner in which ACTIVO HEALTH (PTY) LTD addresses any complaint with regard to ACTIVO HEALTH (PTY) LTD Processing of Personal Information, the Data Subject can contact the office of the Regulator, the details of which are set out below –
Website: **http://justice.gov.za/inforeg/** Tel: 012 406 4818 Fax: 086 500 3351
Email: **inforeg@justice.gov.za**