

PRIVACY POLICY

At The Whiskey Twins we adhere to the highest standards of protecting your personal information when we process it by virtue of your use of our Services or our Platform <https://www.whiskeytwins.co.za/> or any related platforms (collectively, “**the Platform**”), or by providing us with your personal information in any other way. As such, we have created this privacy policy for you to read and to understand how we safeguard your personal information and respect your privacy (“**Privacy Policy**”).

Please note that The Whiskey Twins is a close corporation duly registered and operating in accordance with the laws of the Republic of South Africa.

Not all terms are necessarily defined in order or may be defined in our Terms and Conditions of Use (“**Terms**”).

Please ensure that you read all the provisions below, and our policies and guidelines which may apply from time to time, to understand all of your, and our, rights and duties.

1. Important Information and Who We Are

Purpose of this Privacy Policy

This Privacy Policy aims to give you information on how we collect and process your personal information through any form of your engagement with us. This Privacy Policy complies with, and facilitates the obligations required from, the South African *Protection of Personal Information Act, No. 4 of 2013* (“**POPI**”), as amended.

It is important that you read this Privacy Policy together with any other privacy policy or fair processing notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are fully aware of how and why we are using your personal information. This Privacy Policy supplements the other notices and is not intended to override them.

We do not process the data of minors nor special categories of personal information. Do not provide us with any such personal data, as it will constitute an immediate and automatic material breach of this Privacy Policy and our Terms.

Responsible Party and Operator

The Whiskey Twins is the “Responsible Party” and is responsible for your personal information when we decide the processing operations of your personal information. In certain instances, we operate as an “Operator” of personal information on behalf of a Responsible Party who use our services. In that case, that Responsible Party’s privacy policy will apply to your use of their services.

We have appointed an information officer at The Whiskey Twins who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact our information officer using the details set out below.

Our Contact Details

- **Legal entity:** Crystalleni Properties CC
- **Information Officer:** Demetri Demetriou
- **Email address:** info@whiskeytwins.co.za
- **Postal address:** 20 Malmesbury Road, Welgelegen, 7500
- **Telephone number:** 021 558 2075

You have the right to make a complaint at any time to the South African regulator’s office (Information Regulator’s Office of South Africa). We would, however, appreciate the chance to deal with your concerns before you approach any such regulator, so please contact us in the first instance.

Changes to this Privacy Policy

This Privacy Policy was last updated on 30 May 2024 and previous versions are archived and can be provided on request.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

This Privacy Policy is subject to change without notice and is updated or amended from time to time and will be effective once we upload the amended version to the Platform. Your continued access or use of our Services constitutes your acceptance of this Privacy Policy, as amended. It is your responsibility to read this document periodically to ensure you are aware of any changes.

Third-Party Links on Platform

The Platform may include links to third-party platforms, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share information about you. We do not control these third-party platforms and are not responsible for their privacy statements or terms. When you leave our Platform, or engage with such third parties, we encourage you to read the distinct privacy policy of every third-party you engage with.

2. What We Collect About You

Personal information, or personally identifiable information, means any information about an individual, both natural and juristic entities (people and companies), from which that entity can be identified. It does not include information where the identity has been removed (anonymous data).

We may collect, use, store, and transfer (“**process**”) different kinds of personal information about you which we have grouped together as follows:

Identity Data including full name or the information about your company such as company name, address and/or company registration details.

Contact Data including email address, shipping and billing address, and contact numbers.

Account Data including all information available in your Platform account including order history, invoices, promotional vouchers and discounts, delivery and billing addresses and support enquiries.

Financial Data including bank account details, third-party payment provider information and payment card details (which we do not store but is processed by our payment service provider).

Social Media Data including all information available on your public social media profile including posts, stories, likes and comments.

Transaction Data including details about payments to and from you, contracts, contractual terms, contract fees, signups, subscriptions, invoices and other details of products and services you have obtained from us or provide to us.

Technical Data including internet protocol address/es, login data, browser type and version, time zone setting and location, cookies, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Platform.

Usage Data including information about how you use our company, Platform, surveys, and Services.

Marketing and Communications Data including messages sent to us via WhatsApp, your preferences in receiving notices and marketing from us and our third parties and your communication preferences as well as details of which communications were sent to you and how they were sent.

We also collect, use, and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal information but is not considered personal information in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific Platform feature. However, if we combine or connect Aggregated Data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information which will be used in accordance with this Privacy Policy.

Where we need to collect personal information by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services or allow you to provide us with your services). In this case, we may have to cancel Platform-access or Services you have with us, but we will notify you if this is the case at the time.

3. How Is Your Personal Information Collected?

We use different methods to collect personal information from and about you, including through:

Direct interactions: You may give us your personal information by purchasing from our store, or by corresponding with us through the Platform, email or otherwise. This includes personal information you provide when you:

- use our Services;
- use our Platform;
- purchase from our store;
- contract with us;
- provide any services to us as a service provider or independent contractor on contract with us;
- request information to be sent to you;
- give us some feedback.

Automated technologies or interactions: As you interact with our Platform, we may automatically collect Technical Data and Usage Data about your equipment, browsing actions and patterns. We may collect this personal information by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other Platforms employing our cookies.

Third parties: We may receive personal information about you from various third parties such as:

- analytics providers;
- marketing platforms;
- software service providers;
- courier and delivery service providers;
- search information providers; and
- payment service providers.

4. How We Use Your Personal Information

We will only use your personal information when the law allows us to and for legitimate reasons, which you hereby expressly understand and consent to. Most commonly, we will use your personal information in the following circumstances:

- where we have your **express consent** to do so;
- where we need to consult with you or **perform on the Services contract** we are about to enter into or have entered into with you;
- where it is necessary for our **legitimate business interests** (or those of a third party) and your interests and fundamental rights do not override those interests; and/or
- where we need to comply with a **legal or regulatory obligation**.

5. Purposes For Which We Will Use Your Personal Information

We have set out below the purpose for which we will process your personal information, which includes:

- To engage with you after you have contacted us via the Platform or otherwise;

- To allow you to use our Services and to provide you with our Services as contracted;
- To contract with you as a service provider to The Whiskey Twins;
- To provide it to our authorised service providers who need your personal information to provide their services to you (such as our payment gateway);
- To process and service your payment for any Services rendered by The Whiskey Twins or our service providers;
- To manage payments, fees, and charges;
- To manage our relationship with you which may include notifying you about changes to our Terms, Privacy Policy, or Services or the delivery of communications and the effectiveness thereof;
- To administer and protect our company, Platform and Services (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data);
- To use data analytics to improve our Platform, Services, client relationships and experiences;
- To provide you with direct marketing and make suggestions about Services that may be of interest.

Note that we may process your personal information for more than one lawful ground depending on the specific purpose for which we are using your personal information.

Marketing

We strive to provide you with choices regarding how we use your personal information, particularly around marketing and advertising. To manifest your rights attached to any marketing sent to you as an existing customer, please use the in-built prompts provided on those communications, or contact us.

You will receive marketing communications from us if you have requested our Services, requested information from us, or provided us with your details in any other circumstance and, in each case, have not opted-out of receiving that marketing.

You can ask us to stop sending you marketing messages at any time by using the built-in prompts or contacting us and requesting us to cease or change your marketing preferences. Where you opt-out of receiving marketing messages, this opt-out will not apply to other personal information of yours which we process for another lawful basis.

Third-Party Marketing

Whilst we may use your personal information within our company, we will get your express opt-in consent before we share your personal information publicly with any entity outside of The Whiskey Twins for marketing.

Change of Purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules and where required or permitted by law.

6. Disclosures Of Your Personal Information

We may have to share your personal information with the parties set out below for the purposes set out in the table above.

- Internal Third Parties including other entities or parties in our company group and their respective directors and employees, acting as joint responsible parties or operators;
- External Third Parties including:
 - authorised third-party service providers under contract with The Whiskey Twins who need your personal information to provide their services to you pursuant to your use of our services;
 - service providers and contractors providing their services to us and acting as operators of your personal information on instruction from us;
 - South African or other national governments and/or their respective authorities pursuant to our adherence with legislative requirements; such as tax; and
 - professional advisers acting as operators or joint responsible parties including lawyers, bankers, auditors and insurers based in South Africa who provide consultancy, banking, legal, insurance and accounting services as required.
- Third parties to whom we may choose to sell, transfer, or merge parts of our company or our assets. Alternatively, we may seek to acquire other organisations or merge with them. If a change happens to our company, we may continue to use your personal information in the same way as set out in this Privacy Policy.

We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your personal information in accordance with our instructions and standards.

7. Cookies

The Platform may make use of “cookies” to automatically collect information and data through the standard operation of the Internet servers. “Cookies” are small text files a platform can use (and which we may use) to recognise repeat users, facilitate the user’s on-going access to and use of a platform and allow a platform to track usage behaviour and compile aggregate data that will allow the platform operator to improve the functionality of the platform and its content, and to display more focused advertising to a user by way of third party tools.

The type of information collected by cookies is not used to personally identify you. If you do not want information collected using cookies, there is a simple procedure in most browsers that allows you to deny or accept the cookie feature. Please note that cookies may be necessary to provide you with certain features available on our Platform and thus if you disable the cookies on your browser you may not be able to use those features, and your access to our Platform will therefore be limited. If you do not disable “cookies”, you are deemed to consent to our use of any personal information collected using those cookies, subject to the provisions of this Privacy Policy and our other policies or terms.

8. International Transfers

We may share and process your personal information outside of South Africa for the purpose of cloud storage or to engage with third parties.

Whenever we may transfer your personal information out of South Africa, we will ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal information to countries that have appropriate data protection legislation in place similar to that of South Africa; and/or
- Where we use service providers, we will use specific contracts/clauses which ensure personal information is processed and secured lawfully.

9. Data Security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed by making

use of threat detection and malware software to prevent and detect data and cyber security breaches. We also limit access to your personal information to those employees, agents, contractors and other third parties who have a legitimate need to know. They will only process your personal information on our instruction and are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal information breach and will notify you and the Information Regulator of a breach where we are legally required to do so.

10. Data Retention

We will only retain your personal information for as long as necessary to fulfil the purpose we collected it for including any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purpose for which we process your personal information, any other South African applicable law requiring us to retain the personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

We may also anonymise your personal information (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

11. Your Legal Rights

You have rights in relation to your personal information where we are the relevant “Responsible Party” over such personal information. Please contact us to find out more about, or manifest, these rights:

- request access to your personal information;
- request correction of your personal information;
- request erasure of your personal information;
- object to the processing of your personal information;
- request a restriction of processing your personal information;
- request transfer of your personal information; and/or
- right to withdraw consent.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Users with citizenships from jurisdictions other than South Africa, please note that we comply with South African data protection laws when processing your personal information as we are a South African entity. Should foreign law be applicable to your use of the Services and/or the Platform in any way, including how we may process your personal information, please contact us and we will gladly engage with you on your rights.
