



KELP DIVERS

PRIVACY POLICY

THIS PRIVACY POLICY IS SUBJECT TO THE TERMS AND CONDITIONS ON THIS WEBSITE.

BY CONTINUING TO USE THIS WEBSITE, YOU AGREE TO THE TERMS AND CONDITIONS SET OUT IN THIS PRIVACY POLICY. PLEASE NOTE THAT BY SUBMITTING INFORMATION VIA THIS WEBSITE, YOU CONSENT TO THE COLLECTION, COLLATION, PROCESSING AND STORING OF SUCH INFORMATION AND THE USE AND DISCLOSURE OF SUCH INFORMATION IN ACCORDANCE WITH THIS PRIVACY POLICY.

WE RECOMMEND THAT YOU READ THIS PRIVACY POLICY TOGETHER WITH OUR TERMS AND CONDITIONS PRIOR TO SUBMITTING INFORMATION TO THIS WEBSITE OR ANY OTHER FORMAT ELECTED BY KELP DIVERS FROM TIME TO TIME.

1. INTRODUCTION

1.1 This is the Privacy Policy of Scuba Diving and Outdoor Adventures (Pty) Ltd also known and trading under the name and style of Kelp Divers (hereinafter referred to as 'us', 'we' or 'our' as required by the context). In this Privacy Policy we list our policies regarding the collection, use, and disclosure of Personal Information or data when you use our service and the choices you have associated with that data. We use your data to provide and improve our service. By using the service, you agree to the collection and use of information in accordance with this Privacy Policy.

- 1.2 The provisions as set out in this Privacy Policy are in conjunction with the provisions as set out in the Terms and Conditions of our website as set out above.

2. DEFINITIONS

- 2.1 The following words expressions and abbreviations shall have the meaning hereinafter assigned to them:

2.1.1 **'Service'** means the service(s) and/or products provided on our website as advertised on the website by email or other marketing campaigns under the same domain operated by the proprietor and/ or local proprietor of this website;

2.1.2 **'Personal Information'** means data about a living individual (you) who can be identified from that data (or from those and other information either in our possession or likely to come into our possession), such as your name, contact details, your company details and service history. It may also contain information of your browsing habits on our Website;

2.1.3 **'Data or Content'** means data collected automatically either generated by the use of service and providing certain information or from the service infrastructure itself which includes Personal Information;

2.1.4 **'Cookies'** means small pieces of data stored on your device;

2.1.5 **'Data Controller'** means the natural or legal person who (either alone or jointly or in common with other persons) determines the purposes for which and manner in which any personal information is, or are to be, processed.

For the purpose of this Privacy Policy, we are a Data Controller of your Personal Information, Content or Data;

2.1.6 **'Data Processors or Service Providers'** means any natural or legal person who processes the data on behalf of the data controller. We may use the services of various Service Providers in order to process your data more effectively; and

- 2.1.7 **'Data Subject or user'** means any living individual who is using our service and is the subject of Personal Information.

3. CONSENT

3.1 How does Kelp Divers get your consent?

3.1.1 We obtain your consent when you provide us with personal information on our Website or through other means and materials elected by Kelp Divers from time to time in order to render our goods and services to you efficiently.

3.1.2 Further, we obtain your consent if we ask for your Personal Information for a secondary reason (such as an example of marketing or further intellectual property processes). We will either ask you directly for your expressed consent, or provide you with an opportunity to say no.

3.2 How do I withdraw my consent?

3.2.1 If after you opt-in, you change your mind, you may withdraw your consent for us to contact you, for the continued collection, use or disclosure of your information, at any time, by contacting us at daniel@kelpdivers.co.za.

4. AGE OF CONSENT

By using this Website you represent that you are at least the age of majority in your province of residence, or that you are the age of majority in your state or province of residence and you have given us your consent to allow any of your minor dependents to use this Website.

5. INFORMATION COLLECTION

When you provide us with your personal information as set out in clause 3.1 above, we collect the personal information you give us in order to provide our service to the user.

PERSONAL INFORMATION, DATA AND CONTENT

By using this Website you represent that you are at least the age of majority in your province of residence, or that you are the age of majority in your state or province of residence and you have given us your consent to allow any of your minor dependents to use this Website.

- 5.1 While using our Service, we may ask you to provide us with certain personally identifiable information that can be used to contact or identify you.
- 5.2 Personally identifiable information may include, but is not limited to:
 - 5.2.1 Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to you;
 - 5.2.2 Your name if it appears with your other personal information or if your name itself would reveal information about you.
- 5.3 We may use your Data to make contact with you regarding your profile, research, contact you with our newsletter, announcement mailer or promotional materials and other information that may be of interest to you or us. You may opt out of receiving any, or all, of these communications from us by following the unsubscribe link or instructions provided in any email we send or by contacting us at daniel@kelpdivers.co.za.

DATA

- 5.4 You may be asked or be required to provide limited personal information in order to enable us to provide certain services to you. We may store this information manually or electronically. We will only use it for purposes for which

it was provided if you have consented to it. Information provided will be kept for as long as necessary to fulfill that purpose.

- 5.5 We may also collect information about your computer including, where applicable, your IP address, operating system and browser type, for system administration purposes and to report aggregate information to our webmasters. This information reveals nothing personal about you. It is statistical data about our users' browsing actions and patterns which do not identify individuals and allows us to ensure that content from our site is presented in the most effective manner for you and for your computer.

TRACKING & COOKIES DATA

- 5.6 We may use cookies and similar tracking technologies to track the activity on our Service and hold certain information.
- 5.7 Cookies are files with a small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a Website and stored on your device. Tracking technologies also used are beacons, tags and scripts to collect and track information and to improve and analyse our Service to you.
- 5.8 You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our service.

6. USE OF INFORMATION AND DATA COLLECTED

- 6.1 We use the collected data for various purposes not limited to the below:
- 6.1.1 To deliver the services you have asked for. In other words to provide and maintain our service;
 - 6.1.2 Research;
 - 6.1.3 To notify you about changes to our service;
 - 6.1.4 To allow you to participate in interactive features of our service when you choose to do so;

- 6.1.5 To provide customer support;
- 6.1.6 To gather analysis or valuable information so that we can improve our service;
- 6.1.7 To monitor the usage of our service;
- 6.1.8 To detect, prevent and address technical issues;
- 6.1.9 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 already used or enquired about unless you have opted not to receive such information;
- 6.1.10 Demographical and statistical information about user behavior may be collected and used to analyze the popularity and effectiveness of this Website. Any disclosure of this information will be in aggregate form and will not identify individual users;
- 6.1.11 If you subscribe for data, news, announcements, alerts or any such information to be emailed to you from this Website, we will hold your details on our database until such time as you choose to unsubscribe from this service. You may do this at any stage by selecting the appropriate option in the alerts section of this site.
- 6.1.12 Personal information will not be sold to third parties, or provided to direct marketing companies or other such organizations without your permission. We may disclose your personal information to third parties if we are under a duty to disclose or share such.

7. RETENTION OF PERSONAL INFORMATION, CONTENT AND DATA

We will retain your personal information, content and data only for as long as is necessary for the purposes set out in this Privacy Policy. We will retain and use your data to the extent necessary to provide our service and for research to comply with legal obligations.

8. TRANSFER OF PERSONAL INFORMATION, CONTENT AND DATA

- 8.1 Your data may be transferred to, and maintained on, computers located outside of your state, province or country or other governmental jurisdiction where the data protection laws may differ from those from your jurisdiction.
- 8.2 Please note that we may transfer data to the locations of our third-party service providers' servers and process it where required or necessary.
- 8.3 Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer.
- 8.4 We will take reasonable steps to ensure that your data is treated securely and in accordance with this Privacy Policy and no transfer of data will take place to an organization or a country unless there are adequate controls in place including the security of your data and other personal information.

9. DISCLOSURE OF DATA

- 9.1 For purposes of research, we may disclose your data to relevant institutions for research purposes.
- 9.2 Legal requirements may require us to disclose your data, however, this is done in good faith and with the belief that such action is necessary to:
 - 9.2.1 To comply with a legal obligation;
 - 9.2.2 To protect and defend the rights or property of the proprietor of this Website;
 - 9.2.3 To prevent or investigate possible wrongdoing in connection with the service;
 - 9.2.4 To protect the personal safety of users of the service or the public; and
 - 9.2.5 To protect against legal liability.

10. SECURITY OF DATA

To protect your personal information, we take reasonable precautions and follow industry best practices to make sure it is not inappropriately lost, misused, accessed, disclosed, altered or destroyed.

11. THIRD PARTY SERVICES

- 11.1 In general, the third-party providers used by us will only collect, use and disclose your information to the extent necessary to allow them to perform the services they provide to us.
- 11.2 In particular, remember that certain providers may be located in or have facilities that are located in a different jurisdiction to either you or us. If you elect to proceed with a transaction that involves the services of a third-party service provider, then your information may become subject to the laws of the jurisdiction(s) in which that service provider or its facilities are located.
- 11.3 Once you leave our Website or are redirected to a third-party Website or website, you are no longer governed by this Privacy Policy or our Website's Terms and Conditions.
- 11.4 Links: when you click on links on our website, they may direct you away from our website. We are not responsible for the privacy practices of other sites and encourage you to read their privacy statements.

12. "DO NOT TRACK" SIGNALS

We do not support "Do Not Track" ('DNT'). DNT is a preference you can set in your web browser to inform websites that you do not want to be tracked. You can enable or disable DNT by visiting the preferences or settings page of your web browser.

13. LINKS TO OTHER SITES

- 13.1 Our service may contain links to other sites that are not operated by us. If you click on a Third-party link, you will be directed to that party's website.

13.2 We have no control over and assume no responsibility nor liability for the content, privacy policies or practices of any third party website or service.

14.CHANGES TO THIS PRIVACY POLICY

We reserve the right to modify this Privacy Policy at any time, so please review it frequently. Changes and clarification will take effect immediately upon posting on the Website. If we make material changes to this policy, we will notify you here that it has been updated, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we use and/or disclose it.

15.APPLICABLE LAWS

This Privacy Policy is governed by the laws of the Republic of South Africa, and you consent to the jurisdiction of the South African courts in respect of any dispute which may arise out of or in connection with the formation, interpretation, substance or application of this Privacy Policy.

16.QUESTIONS AND CONTACT INFORMATION

If you would like to: access, amend, correct or delete any personal information we have about you, register a complaint, or simply want more information contact our South African Information Officer at daniel@kelpdivers.co.za or alternatively call us on 071 159 9974.