



POPIA COMPLIANCE DECLARATION

By accepting the POPIA Compliance Declaration, the (“**Client**”) irrevocably state and confirm in favour of **Knowledge Factory** as follows:

The Client process all the information and/or personal data in respect of the services being rendered in accordance with the POPIA (Protection of Personal Information Act 4 of 2013) and all its regulations and only for the purpose of providing the Services set out in the Data License Agreement between the parties. The Client is committed to ensuring the security and protection of the personal information that it processes. The Client declares that it has a data protection team committed to ongoing review and vigilance of all matters within the scope of POPIA so that a process of continual assessment, risk management and improvement is embedded in its organisation.

Additionally, the Client has and continue to actively develop and implement privacy policies, procedures, controls, and security measures for POPIA compliance.

It is, therefore, based on all these implemented privacy measures that the Client agrees to indemnify, defend, and hold harmless **Knowledge Factory** from all penalties, losses, claims, demands, damages, expenses, suits, or other actions, or any liability whatsoever, including, but not limited to, costs and attorney's fees, whether suffered, made, instituted, or asserted by any other party or person, for invasion of privacy or non-compliance with POPIA or data breach caused by the Client’s negligence or wilful omission, regardless of form of action.

Now therefore the parties agree as follows:

Per the Protection of Personal Information Act 4 of 2013 (POPIA), including any regulations or codes of conduct promulgated under same

“In providing services to Data Subjects, Knowledge Factory collects, uses, Processes and, in some circumstances, shares the Personal Information of Data Subjects in and through its Platforms.

Knowledge Factory respects the rights of such Data Subjects, whose Personal Information is collected, used and/or Processed by it, including their right to protection against the unlawful collection, retention, sharing and use of such Personal Information.

Knowledge Factory will be the party who will collect and Process the Data Subjects’ Personal Information and as such is designated as the "Responsible Party" in terms of POPIA.

Knowledge Factory shall only collect and Process the Data Subject’s Personal Information for a specific, explicitly defined and lawful purpose relating to a function or activity of its business



Knowledge Factory shall comply with all laws, contracts and/or regulations when it Processes the Data Subject's Personal Information.

Knowledge Factory shall not act outside the limitations set by law and the POPIA when Processing the Data Subject's Personal Information. This means that it will collect and Process the Data Subject's Personal Information in a way that is fair and reasonable.

Knowledge Factory may, in the course of providing any content or services on its Platforms, or for the purposes of concluding or performing any transaction with the Data Subject, share certain Personal Information with Operators who perform specific Processing activities on its behalf.

Knowledge Factory shall not Process the Data Subject's Personal Information for any purpose not previously specified except in the following circumstances:

- where the Data Subject has consented to such further Processing;
- where the further Processing is necessary for the exercise of any contractual rights or the fulfilment of any obligations between Knowledge Factory and the Data Subject;
- where the further Processing activities are linked to or compatible with the original purpose;
- where the further Processing is necessary for the prevention, detection, investigation, prosecution and punishment of an offence;
- where the further Processing is necessary to enforce any law;
- where the further Processing is necessary for the conduct of legal proceedings in any court or tribunal that have commenced or are reasonably contemplated;
- where the further Processing is necessary to prevent or mitigate a serious and imminent threat to the life or health of the Data Subject or another individual;
- where the further Processing is necessary for historical, statistical or research purposes.

Knowledge Factory is committed to protecting the Personal Information in its custody against any loss of, damage to or unauthorised destruction of that information, and to prevent any unauthorised parties from accessing that information.

The Data Subject hereby consents to the Processing of the Data Subject's Personal Information in terms of the provisions of POPIA.

The Data Subject acknowledges and agrees that such consent has been given voluntarily in particular, regarding the following:

- the types of Personal Information to be Processed;
- the specific Processing activities to be undertaken;



- the specific purpose/s for such Processing; and
- the possible consequences for the Data Subject that may arise from such Processing.