

Privacy Policy

1. Introduction

This Privacy Policy outlines our commitment to respect and protect the privacy of your personal information that we may collect from you or from third parties. It sets out the types of personal information we collect, how we use it and secure it and who we share it with.

Please read this Privacy Policy carefully before you use the Website and disclose your personal information to us. By using the Website, you are deemed to have read, understood, accepted and agree to be bound by the terms of the latest version of this Privacy Policy, as posted on the Website. If you do not agree with the whole or any part of this Privacy Policy, you must not use the Website.

2. Definitions

In this Privacy Policy the following definitions are used:

- “**personal information**” has the same meaning in POPIA and relates to information of an identifiable, living natural person and an identifiable existing juristic person, including (but not limited to) information relating to a person’s name, date of birth, identity number, telephone number, email address, physical and/or postal address, language, location, gender, Certificate of Registration in Respect of Motor Vehicle issued by eNaTIS, roadworthy certificate, motor vehicle licence, and financial information, such as bank account, credit card or other payment details;
- “**POPIA**” means the Protection of Personal Information Act 4 of 2013, as amended;
- “**Privacy Policy**” means this privacy policy, as amended or updated from time to time;
- “**processing**” has the same meaning in POPIA and includes the collection, receipt, organisation, storage, updating or modification, retrieval, alteration, use, distribution, erasure or destruction of personal information;
- “**Services**” means the services provided by us on the Website;
- “**we**” or “**us**” or “**our**” means Torque Trader;
- “**Website**” means the website created, managed and maintained by us or on our behalf located at www.torquetrader.co.za and includes all aspects, contents, facilities, information and functions of any nature whatsoever related to the Website;
- “**you**” or “**your**” means every person who visits and uses the Website.

3. Collection of your personal information

The amount and type of personal information that we collect from you will depend on the extent to which you access and use the Website and our Services. If you choose not to provide us with your personal information that we request, your use of the Website will be limited.

You may need to provide us with the following personal information:

- name and surname;
- date of birth and identity number;
- company name and registration number, if applicable;
- email address;
- physical address;
- telephone number;
- mobile number;
- location;
- Certificate of Registration in Respect of Motor Vehicle issued by eNaTIS;
- motor vehicle licence;
- roadworthy certificate;
- username and password;
- bank account or credit card information;
- details of transactions between us.

If you chose a service or transaction that requires payment, we will request personal information necessary for billing purposes, such as your bank account or credit card details.

You warrant that the personal information you provide is your own personal information and that it is accurate, current, true and complete. You are obliged to advise us of any changes to your personal information as soon as possible. If you are providing personal information of another person, you warrant that you have their authorisation to do so.

4. Use of your personal information

We will use your personal information for the purpose for which it is collected, including:

- to enable you to access and use the Website;
- to create a registered user account;
- to manage your user account and relationship with us;
- to verify your personal information;
- to fulfil our contractual obligations to you in respect of the Services;
- to send communications to you if you opt-in;
- for the detection and prevention of fraud and money-laundering;
- for operational, marketing, auditing, legal and record-keeping purposes;
- to conduct market research;
- monitoring correspondence between us and third parties; and
- to comply with applicable laws;.

We will process your personal information in a manner that is reasonable, adequate, relevant and not excessive in accordance with this privacy Policy and our obligations under POPIA. We will not sell, lease, release or otherwise disclose your personal information to third parties for their marketing or any other purpose.

5. Information automatically logged

When you access and use the Website, some information is automatically transmitted to us by your browser, including your Internet protocol (IP) address, browser type and referring site. We use this information to help diagnose problems with our server, to administer the Website and to identify users.

We also collect information such as the date and time you visit the Website, how long you spend on sites and pages within the Website, the content and pages you access on the Website, browsing habits and click patterns. We use this information to better understand how users use the Website and to provide more relevant content on the Website. We may also use this information in aggregate to generate statistics and identify trends regarding the use of the Website.

6. Cookies

Cookies are small text files that the Website sends to your web browser, which then places these cookies on the computer or device that you used to access the Website. We may use cookies to:

- enable the Website to recognise your computer or device by remembering certain information about you;;
- gather information about your use of the Website, including the pages you view and your activities on the Website;
- customise and improve your browsing experience;
- enable the Website to work more efficiently;
- enable us to collect analytics data that will allow us to improve the functionality of the Website and its content;
- make improvements and updates to the Website; and
- deliver adverts targeted to you.

We may also use the following types of cookies:

- Necessary cookies to enable you to use the Website and all its features, e.g. enabling access to secure areas of the Website. Without these cookies, you may not be able to use all features of the Website.
- Functionality cookies to enable us to provide you with a more personalised experience. These cookies help us to remember data, e.g. username and password, language preferences, so that you do not need to enter this information each time you visit the Website. The information these cookies collect is anonymous.
- Performance cookies collect information about how you use the Website so we can make improvements. For instance, we may collect information on the pages you visit most often. The information these cookies collect is anonymous and cannot be used to personally identify you.
- Analytics cookies, such as Google Analytics or other standard analytical software, which allows us to understand how our visitors interact with the Website.
- Advertising cookies from advertising partners, which are set by the advertising partners (e.g. Google AdWords) and are not directly used by the Website. These cookies allow advertising partners to deliver targeted advertisements that they believe will be of interest to you. This Privacy Policy covers the use of cookies by us on the Website and does not cover the use of cookies by any advertising partners.

Your web browser may accept cookies automatically. You can change your web browser settings to accept or decline cookies or to limit the types of cookies you accept. Cookies may be necessary to provide you with certain features available on the Website and therefore if you change your web browser settings to decline cookies, you may not be able to use these features and your access to the Website will be limited.

7. Links to third party websites

The Website may contain links to websites of third parties. We are not responsible for any of those third party websites and you should review their privacy policy when accessing and using any third party websites.

8. Disclosure of your personal information

If you are a seller of goods listed on the Website, we will make your personal information available to prospective purchasers for them to liaise with you regarding the purchase of the goods. Likewise, if you are a purchaser and make an enquiry about goods listed on the Website, we will need to share your contact details with the seller so that they can respond to your enquiry.

We may also disclose your personal information to:

- our employees and third party service providers to provide the Services;
- comply with any law or legal process;
- protect our rights or property or those of third parties;
- third parties in the event of any reorganisation, merger, consolidation, sale, joint venture or other disposition of any or all of our shares or assets;
- credit bureaus to report account information, as legally permitted;
- assess and monitor the Website;
- determine what goods and services may be of interest to you and send you information about such goods and services, unless you opt-out;
- any relevant person or entity for the prevention, detection and reporting of criminal activities, such as fraud, theft and money-laundering;
- to any regulatory or supervisory authority if required to do so in terms of any law.

9. Retention of your personal information

We keep your personal information for as long as necessary to fulfil the purposes set out in this Privacy Policy, to provide the Website and Services to you and to uphold the contract between us, unless:

- we are legally required or authorised to retain your personal information to comply with retention periods set out in applicable laws;
- you have consented to us keeping your personal information for a longer period.

We may keep your personal information for longer than the periods set out above for historical, research or statistical purposes. However, in such cases, we will ensure that your personal information is appropriately safeguarded from being used for any other purpose.

We will destroy or delete a record of your personal information as soon as reasonably practicable after we are no longer permitted to retain it or if we no longer require your personal information in terms of this paragraph 9.

10. Opt-in to direct marketing

The Website gives users the option to opt-in to receive promotional or marketing communications from us or third parties. If you are an existing client or if you opt-in, we may send you communications to tell you about new features, products and Services that we may offer and that may interest you, to obtain your feedback on the use of the Website or to send you news and insights about our business.

You have the right to opt-out of receiving promotional or marketing communications from us at any time by unsubscribing.

11. Transfer of your personal information outside South Africa

We may transfer your personal information outside South Africa to be processed by a third party or to be stored on servers located outside South Africa. If we do so, we will ensure that the third party in the foreign country to whom we transfer your personal information is under an obligation to process your personal information in a manner that is substantially similar to the requirements for lawful processing in terms of POPIA. By using the Website, you consent to us transferring your personal information outside South Africa.

12. Security of your personal information

We take precautions to secure the integrity and confidentiality of your personal information in our possession or under our control by implementing and maintaining appropriate and reasonable organisational and technical measures to protect your personal information against loss, damage or unauthorised destruction and unlawful access or processing. While we do our best to protect your privacy you should be aware that information shared over the internet is not guaranteed to be secure.

To implement and maintain such measures we have in place controls, policies, procedures and processes, including (but not limited to):

- physical, technical and network security;
- access logs, controls and monitoring;
- hosting the Website in a secure server environment using security measures, such as firewalls;
- secure storage of records of your personal information;
- regular backups of data to ensure it can be recovered in the case of a disaster;
- encryption of your personal information, where appropriate;
- secure links to payment gateways;
- secure destruction of your personal information;
- personal information breach reporting and remediation;
- data processing agreements with third parties to impose security and confidentiality obligations on those third parties who process your personal information on our behalf.

We review, enhance and update our security measures on a regular basis to maintain the appropriate level of security to protect your personal information.

13. Access to, correction and deletion of your personal information

If you provide us with proof of your identity to our satisfaction, you have the right to request the record or description of the personal information we hold about you by following the procedure set out in our [PAIA Manual](#)

If any of your personal information that we hold is incorrect, incomplete, irrelevant or outdated, you may request us to correct, complete or update it or, subject to our legal obligations to retain personal information, to delete or destroy it. If you are a registered user, you can review and edit your personal information on your user profile page on the Website.

14. The Information Regulator (South Africa)

You have the right to lodge a complaint with the Information Regulator. The contact details of the Information Regulator are as follows:

JD House, 27 Stiemens Street, Braamfontein, 2000
P. O. Box 31533, Braamfontein, 2017
POPIAComplaints@info regulator.org.za
www.info regulator.org.za

15. Changes to our Privacy Policy

We may at any time and from time to time amend or update this Privacy Policy to comply with changes to any legal or regulatory requirements or for any reason that we, in our sole discretion, deem necessary.

The amended or updated version will come into effect on the date on which it is posted on the Website. You must frequently review this Privacy Policy on the Website for any such amendments or updates. If you do not agree with the amendments or updates, you must stop using the Website. Your continued use of the Website confirms that you have read and understood and agree to be bound by the latest version of this Privacy Policy.