



## NOTES:

**This Privacy Policy forms part of the Website Terms of Use. If you do not agree with any term of this Policy, you must cease your access of this Website immediately.**

## 1. Introduction

We are delighted that you have visited our website and shown interest in our company. We take the protection of your personal information ("Personal Information"), as defined in terms of the Protection of Personal Information Act, 4 of 2013 ("the Act") seriously and want you to feel safe when you are visiting our website and/or engaging with us. In carrying out our services (and any related tasks), we endeavour to adhere to the principles relating to the electronic collection of personal information, as outlined in the Act (and the related legislation mentioned therein), and to try and ensure the quality, accuracy and confidentiality of any Personal Information in our possession.

### 1.1. How does this Policy apply to you?

- 1- This policy will apply when you are browsing our website and/using any of our services. In fact, the policy is expressly incorporated under our [Website Terms of Use Policy](#)
- 2- Your continued use of this website and any of our services indicates that you have both read and consented to the terms of this privacy policy.
- 3- You cannot use this website or our services if you do not accept this policy.
- 4- This website and our services are only intended to be used by persons aged 18 years and older ("users"). All sections of this policy are applicable to users unless the section expressly states otherwise.

## 2. Definitions

The following words and phrases have these meanings in this document:

- 2.1. "Personal Information" is as defined in POPI.
- 2.2. "POPI" means the Protection of Personal Information Act 4 of 2013.
- 2.3. "Process" in relation to Personal Information means to collect, organise, store, modify, retrieve, refer to, distribute, or erase, or otherwise as defined in POPI.
- 2.4. "Us", "we", or "our" means Eve Smith Productions
- 2.5. "Site", "website" means the Eve Smith Productions website at URL [www.esproductions.co.za](http://www.esproductions.co.za)
- 2.6. "You" or the "user" means any person who accesses the Site for any purpose.

## 3. Status and Amendments

- 3.1. We respect and recognise the importance of protecting your privacy. This privacy policy statement sets out our information gathering and dissemination practices in respect of the Site.
- 3.2. This Website Privacy Policy forms part of the Website Terms of Use of this Site. If you do not agree with this Website Privacy Policy and the Website Terms of Use, then you may not use this Site and are required to cease doing so immediately.
- 3.3. We reserve the right to amend the terms and conditions of this Website Privacy Policy at any time without notice. It is your duty to be aware of the current version of this Website Privacy Policy. Please

refer to the last revision number and date at the bottom of this document. Continued use of the Site subsequent to any amendments having been effected constitutes your acceptance of the Website Privacy Policy as amended.

#### **4. Collection and Processing of Personal Information**

- 4.1. In the course of our transactions (when you use our website, services or otherwise submit information to us) you may be asked to provide information which allows you to be identified and which relates to you as an identifiable individual, including information such as your name, addresses, your e-mail address, and the internet address of the domain from which you are visiting.
- 4.2. Where you submit Personal Information via the Site the following principles are observed in the handling of that information:
  - 4.2.1. We will only collect Personal Information for a purpose consistent with the purpose for which it is required. The specific purpose for which information is collected will be apparent from the context in which it is requested.
  - 4.2.2. We will only Process Personal Information in a manner that is adequate, relevant and not excessive in the context of the purpose for which it is processed.
  - 4.2.3. Personal Information will only be processed for a purpose compatible with that for which it was collected, unless you have consented to an alternative purpose in writing or we are permitted by POPI or in terms of national legislation of general application.
- 4.3. Note that, as permitted by POPI, we may use Personal Information collected to compile profiles for statistical purposes. No information contained in the profiles or statistics will be able to be linked to any specific user.

#### **5. Disclosure**

- 5.1. As a general rule your Personal Information will not be made available to third parties in any form or by persons instructed by us without your consent or unless it is to carry out a business or other legitimate purpose. To this end we point out the following (but not only) parties with whom your Personal Information may/is generally shared (and you hereby consent to the disclose and use of your information in relation to):
  - 5.1.1. Suppliers (eg Printers, Makeup Artists);
  - 5.1.2. Representatives (including any third party providers or suppliers e.g. photographers, editors);  
and
  - 5.1.3. Any third parties with whom our services are carried out/provided in conjunction with and/or who are involved in the completion of our services and may need to have your Personal Information in order to fulfil your request (e.g. Third party payment platform providers or cloud service providers) who may be located outside of the country, which means that your Personal Information may be transferred cross-border but in such cases, this will be done in accordance with the requirements of the Act.

#### **6. Collection of anonymous data**

- 6.1. We may use standard technology to collect information about the use of this Site. This technology is not able to identify individual users but simply allows us to collect statistics.
- 6.2. We may utilise temporary or session cookies (a cookie is a small file that is placed on your hard drive or device) to keep track of users' browsing habits. This allows us to track your use of this Site as well as your visits to other websites. Other websites may also use these cookies to track your browsing habits.

- 6.3. Cookies by themselves will not be used to identify users personally but we may use them to compile de-identified statistics relating to use of services offered or to provide us with feedback on the performance of this Site.
- 6.4. The following classes of information may be collected in respect of users who have enabled cookies:
  - 6.4.1. The browser software used;
  - 6.4.2. IP address;
  - 6.4.3. Date and time of activities while visiting the Site;
  - 6.4.4. URLs of internal pages visited; and
  - 6.4.5. referring websites, search engines and the like.
- 6.5. If you do not wish cookies to be employed to customise your interaction with this Site it is possible to alter the manner in which your browser handles cookies. Please note that, if this is done, certain services on this Site may not be available to you.

## 7. Security

- 7.1. We will take appropriate, reasonable technical and organisational measures as required by applicable law to protect the information submitted to or collected by this Site from loss, misuse, unauthorised disclosure, alteration or destruction.

## 8. Know your Rights

- 8.1. As a user/data subject, you have certain rights, including the right:
  - 8.1.1. to access your Personal Information stored and processed by us. This may be done by emailing us at the address referred to in the last clause below;
  - 8.1.2. to correct/rectify Personal Information that we hold on your behalf, in instances where such Personal Information is incorrect or incomplete;
  - 8.1.3. to erase Personal Information, also known as ‘the right to be forgotten’. In simple terms, this enables you to request the deletion or removal of your information where there’s no compelling reason for us keep using it. This is not a general right to erase; there are exceptions. For example, we have the right to continue using your personal data if such use is necessary for compliance with our legal obligations or for the establishment, exercise or defence of legal claims;
  - 8.1.4. to restrict/suspend processing of Personal Information to only that which is strictly necessary for us to perform our services to you. Please note that this right is limited in certain situations: when we are processing your personal information that we collected from you with your consent you can only request restriction on the basis of: (a) inaccuracy of data; (b) where our processing is unlawful and you don’t want your personal information erased; (c) you need it for a legal claim; or (d) if we no longer need to use the data for the purposes for which we hold it. When processing is restricted, we can still store your information, but may not use it further;
  - 8.1.5. to complain- if we breach any of the terms of this Privacy Policy, to complain to the requisite data protection authority in South Africa;
  - 8.1.6. to withdraw your consent at any time, if the processing of the Personal Information is based on consent;
  - 8.1.7. to object to processing of Personal Information, if such processing is based on legitimate interests; and
  - 8.1.8. to object to the processing of Personal Information for direct marketing purposes.
- 8.2. The exercise of these rights is free of charge; however, you may/will be required to prove your identity with an official identification or similar document.

## 9. Indemnity

- 9.1. In agreeing to the terms and conditions of this policy, you hereby unconditionally agree to indemnify us against any liability that may result from the processing of your Personal Information, including any reliance which may be placed on inaccurate Personal Information provided to us by the you and/or any third parties and/or any unintentional disclosures of such Personal Information to, or access by unauthorised persons.

## 10. Links to other Websites

- 10.1. We have no control over and accept no responsibility for the privacy practices of any third party websites to which hyperlinks may have been provided and we strongly recommend that you review the privacy policy of any website you visit before using it further.

## 11. Queries

- 11.1. If you have any queries about this Privacy Policy please contact us by emailing us at [eve@esproductions.co.za](mailto:eve@esproductions.co.za)