PRIVACY POLICY

Last Updated: 1 March 2024.

This Privacy Policy ("Policy") explains the information collection, use, and sharing practices of Cubify ("we," "us," and "our").

Unless otherwise stated, this Policy describes and governs the information collection, use, and sharing practices of Cubify with respect to your use of our website (https://www.cubify.co.za) and the services ("Services") we provide and/or host on our servers.

Before you use or submit any information through or in connection with the Services, please carefully review this Privacy Policy. By using any part of the Services, you understand that your information will be collected, used, and disclosed as outlined in this Privacy Policy.

If you do not agree to this privacy policy, please do not use our Services.

Our Principles

Cubify has designed this policy to be consistent with the following principles:

- Privacy policies should be human readable and easy to find.
- Data collection, storage, and processing should be simplified as much as possible to enhance security, ensure consistency, and make the practices easy for users to understand.
- Data practices should meet the reasonable expectations of users.

Information We Collect

We collect information in multiple ways, including when you provide information directly to us; when we passively collect information from you, such as from your browser or device; and from third parties.

Information You Provide Directly to Us

We will collect any information you provide to us. We may collect information from you in a variety of ways, such as when you: (a) create an online account, (b) donate or purchase, (c) contact us or provide feedback, (d) subscribe to our newsletter. This information may include but is not limited to your name, email address, phone number, mailing address, payment information and your geographic location.

Information that Is Automatically Collected

Device/Usage Information

We may automatically collect certain information about the computer or devices (including mobile devices or tablets) you use to access the Services. As described further below, we may collect and analyse (a) device information such as IP addresses, location information (by country and city), unique device identifiers, IMEI and TCP/IP address, browser types, browser language, operating system,

mobile device carrier information, and (b) information related to the ways in which you interact with the Services, such as referring and exit web pages and URLs, platform type, the number of clicks, domain names, landing pages, pages and content viewed and the order of those pages, statistical information about the use of the Services, the amount of time spent on particular pages, the date and time you used the Services, the frequency of your use of the Services, error logs, and other similar information. As described further below, we may use third-party analytics providers and technologies, including cookies and similar tools, to assist in collecting this information.

Cookies and Other Tracking Technologies

We also collect data about your use of the Services through the use of Internet server logs and online tracking technologies, like cookies and/or tracking pixels. A web server log is a file where website activity is stored. A cookie is a small text file that is placed on your computer when you visit a website, that enables us to: (a) recognise your computer; (b) store your preferences and settings; (c) understand the web pages of the Services you have visited and the referral sites that have led you to our Services; (d) enhance your user experience by delivering content specific to your inferred interests; (e) perform searches and analytics; and (f) assist with security administrative functions. Tracking pixels (sometimes referred to as web beacons or clear GIFs) are tiny electronic tags with a unique identifier embedded in websites, online ads and/or email, and that are designed to provide usage information like ad impressions or clicks, measure popularity of the Services and associated advertising, and to access user cookies. We may also use tracking technologies in our license buttons and/or icons that you can embed on other sites/services to track the website addresses where they are embedded, gauge user interaction with them, and determine the number of unique viewers of them. If you receive email from us (such as the CC newsletter, campaign updates, or other ongoing email communications from CC), we may use certain analytics tools, such as clear GIFs, to capture data such as whether you open our message, click on any links or banners our email contains, or otherwise interact with what we send. This data allows us to gauge the effectiveness of our communications and marketing campaigns. As we adopt additional technologies, we may also gather additional information through other methods.

Please note that you can change your settings to notify you when a cookie is being set or updated, or to block cookies altogether. Please consult the “Help” section of your browser for more information. Please note that by blocking any or all cookies, you may not have access to certain features or offerings of the Services.

For more information about how we use cookies, please read our Cookie Policy.

Information from Third Parties

To the extent permitted by law, we may also collect information from third parties, including public sources, social media platforms, and marketing and market research firms. Depending on the source, this information collected from third parties could include name, contact information, demographic information, information about an individual’s employer, information to verify identity or trustworthiness, and information for other fraud or safety protection purposes.

How We Use Your Information

We may use the information we collect from and about you to:

- Fulfil the purposes for which you provided it.

- Provide and improve the Services, including to develop new features or services, take steps to secure the Services, and for technical and customer support.
- Fundraise, accept donations, or process transactions.
- Send you information about your interaction or transactions with us, account alerts, or other communications, such as newsletters to which you have subscribed.
- Process and respond to your inquiries or to request your feedback.
- Conduct analytics, research, and reporting, including to synthesize and derive insights from your use of our Services.
- Comply with the law and protect the safety, rights, property, or security of Cubify, the Services, our users, and the general public.
- Enforce our Terms of Use, including to investigate potential violations thereof.

Please note that we may combine information that we collect from you and about you (including automatically collected information) with information we obtain about you from our affiliates and/or non-affiliated third parties and use such combined information in accordance with this Privacy Policy.

We may aggregate and/or de-identify information collected through the Services. We may use deidentified and/or aggregated data for any purpose, including without limitation for research and marketing purposes.

When We Disclose Your Information

We may disclose and/or share your information under the following circumstances:

Service Providers.

We may disclose your information with third parties who perform services on our behalf, including without limitation, event management, marketing, customer support, data storage, data analysis and processing, and legal services.

Legal Compliance and Protection of Creative Commons and Others.

We may disclose your information if required to do so by law or on a good faith belief that such disclosure is permitted by this Privacy Policy or reasonably necessary or appropriate for any of the following reasons: (a) to comply with legal process; (b) to enforce or apply our Terms of Use and this Privacy Policy, or other contracts with you, including investigation of potential violations thereof; (c) enforce our Charter including the Code of Conduct and policies contained and incorporated therein, (d) to respond to your requests for customer service; and/or (e) to protect the rights, property, or personal safety of Cubify, our agents and affiliates, our users, and the public. This includes exchanging information with other companies and organizations for fraud protection, and spam/malware prevention, and similar purposes.

Business Transfers.

As we continue to develop our business, we may engage in certain business transactions, such as the transfer or sale of our assets. In such transactions, (including in contemplation of such transactions,

e.g., due diligence) your information may be disclosed. If any of our assets are sold or transferred to a third party, customer information (including your email address) would likely be one of the transferred business assets.

Affiliated Companies.

We may disclose your information with current or future affiliated companies.

Consent.

We may disclose your information to any third parties based on your consent to do so.

Aggregate/De-identified Information.

We may disclose de-identified and/or aggregated data for any purpose to third parties, including advertisers, promotional partners, and/or others.

Legal Basis for Processing Personal Data

The laws in some jurisdictions require companies to tell you about the legal ground they rely on to use or disclose information that can be directly linked to or used to identify you. To the extent those laws apply, our legal grounds for processing such information are as follows:

To Honour Our Contractual Commitments to You.

Much of our processing of information is to meet our contractual obligations to provide services to our users.

Legitimate Interests.

In many cases, we handle information on the ground that it furthers our legitimate interests in ways that are not overridden by the interests or fundamental rights and freedoms of the affected individuals, these include:

- Customer service.
- Marketing, advertising, and fundraising.
- Protecting our users, personnel, and property.
- Managing user accounts.
- Organising and running events and programs.
- Analysing and improving our business.
- Managing legal issues.

We may also process information for the same legitimate interests of our users and business partners.

Legal Compliance.

We may need to use and disclose information in certain ways to comply with our legal obligations.

Consent.

Where required by law, and in some other cases where legally permissible, we handle information on the basis of consent. Where we handle your information on the basis of consent, you have the right to withdraw your consent; in accordance with applicable law.

Online Analytics

We may use third-party web analytics services (such as Google Analytics) on our Services to collect and analyse the information discussed above, and to engage in auditing, research, or reporting. The information (including your IP address) collected by various analytics technologies described in the "Cookies and Other Tracking Technologies" section above will be disclosed to or collected directly by these service providers, who use the information to evaluate your use of the Services, including by noting the third-party website from which you arrive to our Site, analysing usage trends, assisting with fraud prevention, and providing certain features to you. To prevent Google Analytics from using your information for analytics, you may install the official Google Analytics Opt-out Browser Add-on.

Your Choices and Data Subject Rights

You have various rights with respect to the collection and use of your information through the Services. Those choices are as follows:

Email Unsubscribe

You may unsubscribe from our marketing emails at any time by clicking on the "unsubscribe" link at the bottom of each newsletter or by emailing info@cubify.co.za with your request.

Account Preferences

If you have registered for an account with us through our Services, you can update your account information or adjust your email communications preferences by logging into your account and updating your settings.

GDPR and EU Data Subject Rights

Individuals in the European Economic Area ("EEA") and other jurisdictions have certain legal rights with respect to the collection and use of their information through the Services. These rights include:

- Right of Access: You have the right to obtain confirmation of whether we hold certain information about you and to request a copy of that information.
- Right to Rectify: You can request the correction or updating of any inaccurate or incomplete personal information we hold about you.
- Right to Object: You have the right to object to the processing of your personal data on specific grounds, such as for marketing purposes or where we rely on legitimate interests.
- Right to Withdraw Consent: Where we process your information based on your consent, you have the right to withdraw that consent at any time.
- Right to Complain: If you believe that your data protection rights have been violated, you have the right to lodge a complaint with the relevant supervisory or legal authority.

To exercise any of these rights or if you have any questions about how we handle your data, please email us at info@cubify.co.za. We are committed to responding to your requests promptly and within the timeframes required by GDPR. If necessary, this response time may be extended in certain circumstances.

International Transfers

As described above in the “When We Disclose Your Information” section, we may share your information with trusted service providers or business partners in countries other than your country of residence in accordance with applicable law. This means that some of your information may be processed in countries that may not offer the same level of protection as the privacy laws of your jurisdiction. By providing us with your information, you acknowledge any such transfer, storage or use.

If we provide any information about you to any third parties information processors located outside of the EEA, we will take appropriate measures to ensure such companies protect your information adequately in accordance with this Privacy Policy and other data protection laws to govern the transfers of such data.

Security Measures

We have implemented technical, physical, and organizational security measures to protect against the loss, misuse, and/or alteration of your information. These safeguards vary based on the sensitivity of the information that we collect and store. However, we cannot and do not guarantee that these measures will prevent every unauthorized attempt to access, use, or disclose your information since despite our efforts, no Internet and/or other electronic transmissions can be completely secure.

Children

The Services are intended for users over the age of 18 and are not directed at children under the age of 13. If we become aware that we have collected personal information (as defined by the Children’s Online Privacy Protection Act) from children under the age of 13, or personal data (as defined by the EU GDPR) from children under the age of 16, we will take reasonable steps to delete it as soon as practicable.

Data Retention

We retain the information we collect for as long as necessary to fulfil the purposes set forth in this Privacy Policy or as long as we are legally required or permitted to do so. Information may persist in copies made for backup and business continuity purposes for additional time.

Third-Party Links and Services

The Services may contain links to third-party websites (e.g., social media sites like Facebook and Twitter), third-party plug-ins (e.g., the Facebook “like” button and Twitter “follow” button), and other services. If you choose to use these sites or features, you may disclose your information not just to those third parties, but also to their users and the public more generally depending on how their services function. Creative Commons is not responsible for the content or privacy practices of such third party websites or services. The collection, use and disclosure of your information will be subject to

the privacy policies of the third party websites or services, and not this Privacy Policy. We encourage you to read the privacy statements of each and every site you visit.

Changes to this Privacy Policy

We will continue to evaluate this Privacy Policy as we update and expand our Services, and we may make changes to the Privacy Policy accordingly. We will post any changes here and revise the date last updated above. We encourage you to check this page periodically for updates to stay informed on how we collect, use and share your information. If we make material changes to this Privacy Policy, we will provide you with notice as required by law.

Questions About this Privacy Policy

If you have any questions about this Privacy Policy or our privacy practices, you can contact us at: info@cubify.co.za.