

# PRIVACY POLICY

It is important that you read this Policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing Personal Information about you so that you are fully aware of how and why we are using your information.

## 1) PURPOSE OF THIS PRIVACY POLICY AND INFORMATION ABOUT US

### a) Purpose of this Privacy Policy

- i) This Privacy Policy ("Policy") aims to give you information on how [Alexander Forbes Group Holdings Ltd] ("Organisers"), "we", "us", "our", "Organisers") processes your Personal Information when you sign up your School to compete in the **Organisers Battle Board Competition Platform** via LeagueSpot (<https://go.battleboards.co.za/league>), including any information you may provide us with.
- ii) For further information on us or details on how to contact us: [info@battleboards.co.za](mailto:info@battleboards.co.za)

## 2) WHO PROCESSES YOUR PERSONAL INFORMATION?

### a) Organisers:

- i) Organisers processes your personal information upon registration of your school to compete in the Battle Boards Competition ("Battle Boards") via our website <https://battleboards.co.za/> or portal <https://go.battleboards.co.za/league> ("the sites"). In this instance, Organisers, shall be the Responsible Party and is responsible for your Personal Information. Submission of your personal information on the League Spot portal (<https://go.battleboards.co.za/league>) shall be dealt with as per League Spots' [privacy policy](#) and subject to the Operators Agreement between us and League Spot as a Third Party.

### b) The School:

- i) Where the Team Manager on behalf of your School provides the Organisers with Personal Information to register a player via the sites for the purposes of gaining access to the competition, the School shall be the Responsible Party and the Organisers the Operator. In this instance, **the School remains responsible for obtaining the necessary consent from a Competent Person for the purposes of the Player's access to Battle Boards.**
- ii) In addition, the School, is solely responsible for the legality, reliability, integrity, accuracy and quality of the Personal Information he/she/it or someone on their behalf makes available to Organisers.

### c) Third Parties:

- i) Integration into other websites (<https://www.chess.com/>): In terms of our website or events with references to other third party service providers - This Privacy Policy applies to our website(s) and other engagements with you. We do not exercise control over third party websites that provide services or products to Organisers as part of their own offering. These other sites may place their own cookies or other files on your computer, collect data or solicit Personal Information from you. We cannot be held responsible for any wrongful handling of end users' information by other sites.
- ii) Third-Party Links: **Our Sites may include links to Third-Party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. If you disclose your Personal Information to a Third-Party, such as an entity that operates a website linked to this our website or social media sites, ORGANISERS SHALL NOT BE LIABLE FOR ANY LOSS OR DAMAGE, HOWSOEVER ARISING, SUFFERED BY YOU AS A RESULT OF THE DISCLOSURE OF SUCH INFORMATION TO THE THIRD-PARTY. This is because we do not regulate or control how that Third-Party uses your Personal Information. You should always ensure that you read the privacy policy of any Third-Party. When you leave our website, we encourage you to read the privacy policy of every website you visit.**

## 3) WHAT TYPE OF INFORMATION IS PROCESSESED?

- a) **Personal Information means the information as per the Definitions. It does not include data where the identity has been removed (anonymous data).**
- b) **Submission of Personal Information on behalf of another:** If you provide information on behalf of someone else, then it is your responsibility to obtain the necessary consent from the person or a Competent Person before making the Personal Information available to us. On receipt of Personal Information, we assume that the necessary consent has been obtained and will process the Personal Information as per your instructions. By submitting such Personal Information on behalf of another person, you indemnify us against any Third-Party claim, where such Third-Party claim relates to Personal Information that has been processed without the necessary consent or other available exception allowed by law.
- c) **Personal Information relating to Children Information (Children Data):** we will only Process Personal Information of Children as received from the Learner's School or if necessary for the establishment, exercise or defence of a right or obligation in law.
- d) **If you fail to provide Personal Information:** Where we need to collect Personal Information by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with products (including products for no charge)). In this case, we may have to cancel a product order you have with us, but we will notify you if this is the case at the time.
- e) We do not collect any **Special Personal Information** about you or the users or Players.

## 4) HOW IS MY PERSONAL INFORMATION COLLECTED?

- a) Your Personal Information is only shared with Organisers and other Service Providers (League Spot) in the following circumstances as detailed in the table below:
  - i) We have a good faith belief that access, use, preservation or disclosure of such information is reasonably necessary to:
    - satisfy any applicable law, regulation, legal process or enforceable governmental request;
    - enforce applicable Tournament Regulations and rules;
    - detect, prevent, or otherwise address fraud, security or technical issues; or

- ii) protect against imminent harm to the rights, property or safety of Organisers, users of this website or the public as required or permitted by law.

Purpose/Activity	Type of data collected	Lawful basis for processing including basis of legitimate interest
Registration of your School as a participant for the competition via our Website or Portal	(a) <b>Identity</b> (Name and Surname of the Team Manager); and (b) <b>Contact details</b> (Cell Number and Email Address of the Team Manager).	(a) Consent (School Information and Team Manager information) (b) Performance of a contract with you
Registration of a Team Manager as administrator for purposes of the Competition an portal	(a) <b>Identity</b> (Name and Surname of the Team Player); (b) <b>Contact details</b> (Email Address and cell phone number of the Team Player); and (c) <b>Usage Data</b>	(a) Consent (b) Performance of a contract with you
Registration of a Player by the Team Manager to access the Competition/ creation of a profile for each Player	(d) <b>Identity</b> (Name and Surname of the Player); (e) <b>Contact details</b> (Email Address the Player); and (f) <b>Usage Data</b>	(c) Consent (d) Performance of a contract with you
To administer and protect our business, website and other electronic platforms (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) <b>Identity</b> ; (b) <b>Contact</b> ; and (c) <b>Technical Data</b>	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)  (b) Necessary to comply with a legal obligation

- a) We may also collect, use and share **aggregated data** and **pattern data** such as (but not limited to) statistical or demographic data and/or product transactional data for any purpose. Aggregated data or pattern data could be derived from your Personal Information but is not considered Personal Information in law as this data will not directly or indirectly reveal your (the data subject's) identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature or executing a specific transaction type (where applicable). However, if we combine or connect aggregated data or pattern data with your Personal Information so that it can directly or indirectly identify you, we will treat the combined data as Personal Information which will be used in accordance with this Privacy Policy.
- b) You may choose to provide additional Personal Information to us, in which event you agree to provide accurate and current information, and not to impersonate or misrepresent any person or entity or falsely state or otherwise misrepresent your affiliation with anyone or anything.

**5) HOW WE USE YOUR PERSONAL INFORMATION?**

We use different methods to collect data from and about you including through:

- a) **Direct interactions.** You may directly provide us with your Personal Information when you:-
  - i) register the School for the competition;
  - ii) creation of a team manager and player on the site;
  - iii) enter a competition or promotion conducted by Organisers;
  - iv) contact us via email, telephone, WhatsApp or our Sites;
- b) **Automated technologies or interactions.** As you interact with our us or [our website](#), we will automatically collect Technical Data about your equipment, browsing actions, patterns and device(s). We collect this Personal Information by using cookies (see section Error! Reference source not found.), server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.

**6) DATA RETENTION**

**How long will we use your Personal Information for?:** We will only retain your Personal Information for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements.

## 7) INTERNATIONAL TRANSFERS

- a) Some of our External Third Parties may be based outside the Republic of South Africa ("RSA") so their processing of your Personal Information could involve a transfer of data outside the RSA.
- b) By submitting the information, you agree to this transfer, storing or processing.
- c) Whenever we transfer your Personal Information out of the RSA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
  - i) We will only transfer your Personal Information to countries that have been deemed to provide a similar level of protection for Personal Information as the RSA.
  - ii) Where we use certain service providers, we conclude an agreement with them to confirm that your Personal Information is confidential, they can only process on our instructions and that they should establish and maintain appropriate technological and organizational measurements to protect your Personal Information.
- d) By submitting your Personal Information to us you consent to the transfer of Personal Information outside the borders of the RSA (when required).

## 8) YOUR LEGAL RIGHTS

- a) Under certain circumstances, you have the following rights under data protection laws in relation to your Personal Information:
  - i) **Request for Access:** Request access to Personal Information (commonly known as a "data subject access request"). There may be a fee associated with this request.
  - ii) **Request Correction** of the Personal Information that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
  - iii) **Object to processing** of your Personal Information where we are relying on a legitimate interest (or those of a third-party) and there is something about your particular situation which makes you want to object to processing on this ground, as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
  - iv) **Withdraw consent** at any time where we are relying on consent to process your Personal Information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain Services to you. We will advise you if this is the case at the time you withdraw your consent.
- b) **If you wish to exercise any of the rights set out above, please contact us at the details mentioned 1) above.**
- c) **Fee required:** Apart from any prescribed fees under any applicable data protection legislation (i.e. PAI Act (see our PAI Manual), you will not have to pay a fee to access your Personal Information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.
- d) **What we may need from you:** We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Information (or to exercise any of your other rights). This is a security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- e) **Time limit to respond:** We try to respond to all legitimate requests within 30 (thirty) days. Occasionally it could take us longer than 30 (thirty) days if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## Definitions

- a) **Child** means any person under the age of eighteen (18) years;
- b) **Competent person:** means parent or legal guardian of the Player;
- c) **Consent** means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information.
- d) **Data Subject** means the person to whom Personal Information relates and, in this document, refers to you as the party providing Personal Information that will be processed by Organisers or a relevant third-party.
- e) **Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your Personal Information for our legitimate interests. We do not use your Personal Information for activities where our interests override the impact such use may have on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us. Examples of legitimate Organisers interest:- organise competitions, to process and publish results, to process data from competitions; including by recording individuals' photographs as part of event accreditation processes;; and secure access to Personal Information; and research and statistical analysis.
- f) **Operator** means a person who processes Personal Information for a Responsible party in terms of a contract or mandate, without coming under the direct authority of the **party**.
- g) **Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- h) **PAI Act** means the [Promotion of Access to Information Act](#), Act 2 of 2000.
- i) **Personal Information** means information as defined under POPIA.

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- j) **POPIA** means the [Protection of Personal Information Act](#), Act 4 of 2013.
- k) **Player** means Learner who attends the School and who is under the age of 18 years or in their 19<sup>th</sup> year.
- l) **Responsible Party** means a public or private body or any other person which, alone or in conjunction with others (Joint Responsible party) determines the purpose of and means for processing Personal Information.
- m) **Special Personal Information** means information as defined under section 26 of POPIA (this includes details about race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and biometric information or criminal convictions and offences).**THIRD-PARTIES:**
- i. **Internal Third-Parties:** Other divisions within Organisers, acting as joint responsible parties or operators and who are based in South Africa and who may also provide employee benefit services (such as internal training) or agricultural products similar to those of ORGANISERS.
  - ii. **External Third-Parties:**
    1. Service providers acting as operators who provide third-party services to ORGANISERS including services such as accounting or loan services and/or payroll system services.
    2. Service providers and administrators who assist ORGANISERS in the provision and administration of IT services, medical services, catering, accommodation and the like.
    3. Professional advisers acting as operators or joint Responsible Parties, including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
    4. The South African Revenue Services, regulators and other authorities acting as operators or joint Responsible Parties who require reporting of processing activities in certain circumstances.
    5. Courts of law or any other authorities where we have an obligation under law to share your Personal Information.
    6. In the event that we sell or buy any business or assets, in which case we may disclose your Personal Information to the prospective seller or buyer of such business or assets.
- n) **Schools** means schools who have entered into Battle Boards and who are situated in South Africa.
- o) **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- p) **Usage Data** includes information about how you use our website and/or products. This information shall include the full Uniform Resource Locators (URL) Clickstream to, through and from our website (including the date and time) and the products you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs) and methods used to browse away from the page and any phone number used to call us, service transaction instructions from and to you via our APIs.

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