



candi solar SA (Pty) Ltd Registration number: 2019/478430/07

candi solar Asset Holdings (Pty) Ltd Registration number:

2021/485084/07

# Privacy Policy

**Effective on 8<sup>th</sup> December 2023**

## Introduction

- 1.1. We understand that Your privacy is important to You and that You care about how Your Personal Information/Data is used. We respect and value the privacy of all those that we have dealings with and use Personal Information/Data in ways that are described here, and in a way that is consistent with our obligations and Your rights under the respective laws in accordance with, *inter alia*, the Protection of Personal Information Act, No. 4 of 2013 (“POPIA”) and the European Union General Data Protection Regulation (“GDPR”) (together referred to as the “Data Protection Laws”) and ensuring that Your Personal Information/Data is used appropriately, transparently, securely and in accordance with the relevant Data Protection Laws.
- 1.2. This Privacy Policy describes our policies and procedures on the processing of your Personal Information/Data when you use the Service.
- 1.3. By providing us with Your Personal Information/Data, You –
  - agree to this Policy and authorise us to process such information as set out herein; and
  - authorise candi, its associates, service providers and other third parties to process such information for the purposes stated herein.
- 1.4. We will not use Your Personal Information for any other purpose than as set out in this Policy and will endeavour to protect Your Personal Information that is in our possession from unauthorised alteration, loss, disclosure or access.
- 1.5. candi is a Responsible Party and a Controller in terms of the Data Protection Laws.

## 2. Certain Terms Defined

Certain terms are used frequently in this document, and it is therefore necessary to define them. For the purposes of this Privacy Policy –

- 2.1. “Associates” means candi’s shareholders and the directors, employees and dealers and consultants of candi;
- 2.2. “candi” (referred to as either "candi", "we", "us" or "our" or similar derivative in this Privacy Policy) refers to the candi solar group, comprising of candi solar AG, candi solar SA (Proprietary) Limited, candi solar BV, candi solar PVT LTD, candi solar SA BV, candi solar IN

BV, candi solar Asset Holdings (Proprietary) Limited, candi solar IN 1 PVT LTD, candi solar Private Limited and candi Finance PVT LTD;

- 2.3. “Controller” means, in respect of GDPR, the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- 2.4. “Cookies” are small files that are placed on Your computer, mobile device or any other device by a website, containing the details of Your browsing history on that website among its many uses;
- 2.5. “Device” means any device that can access the Service such as a computer, a cell phone or a digital tablet;
- 2.6. “Operator” means, in respect of POPIA, any person or entity that processes Personal Information on behalf of a Responsible Party;
- 2.7. “Personal Information/Data” means –
  - 2.7.1. in respect of POPIA information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to –
    - 2.7.1.1. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
    - 2.7.1.2. information relating to the education or the medical, financial, criminal or employment history of the person;
    - 2.7.1.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
    - 2.7.1.4. the biometric information of the person;
    - 2.7.1.5. the personal opinions, views or preferences of the person;

- 2.7.1.6. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
  - 2.7.1.7. the views or opinions of another individual about the person; and
  - 2.7.1.8. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person; and
- 2.7.2. in respect of GDPR means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- 2.8. “Privacy Policy” means the privacy policy set out in this document;
- 2.9. “Processor” means, in respect of GDPR, a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- 2.10. “Responsible Party” means, in respect of POPIA, a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information/Data;
- 2.11. “Service” means the accessing and use of the Website and its features;
- 2.12. “Service Provider” means any third-party companies or individuals contracted by candi to facilitate the Service, to provide the Service on behalf of Candi, to perform services related to the Service or to assist Candi in analysing how the Service is used, and includes Operators and Processors;
- 2.13. “Usage Data” means data collected automatically, either generated by the use of the Service or from the Service infrastructure itself (for example, the duration of a page visit);
- 2.14. “Website” means the official website of candi, accessible via the internet at <https://www.candi.solar/>; and
- 2.15. “You” means the individual accessing or using the Service, or the company, or other legal entity on behalf of which such individual is accessing or using the Service, as applicable.

### 3. Collection and Use of Your Personal Information/Data

#### 3.1. What Personal Information/Data do we collect

3.1.1. While using our Service, we may ask You to provide us with certain Personal Information/Data, such as Your:

- E-mail address.
- First name and last name.
- Telephone number.
- Physical Address.

3.1.2. We also collect certain Usage Data automatically when You use the Service.

3.1.3. Usage Data may include information such as Your Device's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our Service that You visit, the time and date of Your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

3.1.4. When You access the Service by or through a mobile device, we may collect certain information automatically, including, but not limited to, the type of mobile device You use, Your mobile device unique ID, the IP address of Your mobile device, Your mobile operating system, the type of mobile Internet browser You use, unique device identifiers and other diagnostic data.

3.1.5. We may also collect information that Your browser sends whenever You visit our Service or when You access the Service by or through a mobile device.

#### 3.2. How we use Your Personal Information/Data

3.2.1. candi may use Personal Information/Data for the following purposes:

3.2.1.1. To provide and maintain our Service, including to monitor the usage of our Service.

3.2.1.2. For the performance of a contract the development, compliance and undertaking of the purchase contract for the products, items or services You have purchased or of any other contract with us through the Service.

- 3.2.1.3. To contact You by email, telephone calls, SMS, or other equivalent forms of electronic communication.
        - 3.2.1.4. To provide You with news, special offers and general information about other goods, services and events which we offer that are similar to those that You have already purchased or enquired about unless You have opted not to receive such information.
        - 3.2.1.5. To attend and manage Your requests to us.
      - 3.2.2. We may use Your information for other purposes, such as data analysis, identifying usage trends, determining the effectiveness of our promotional campaigns and to evaluate and improve our Service, products, services, marketing and Your experience.
      - 3.2.3. We will only use Your Personal Information/Data for the purpose(s) for which it was originally collected unless we reasonably believe that another purpose is compatible with that or those original purpose(s) and need to use Your Personal Information/Data for that purpose. If we do use Your Personal Information/Data in this way and You wish us to explain how the new purpose is compatible with the original, please contact us using the details in the “Contact us” section of this policy.
      - 3.2.4. If we need to use Your Personal Information/Data for a purpose that is unrelated to, or incompatible with, the purpose(s) for which it was originally collected, we will inform You and explain the legal basis which allows us to do so or obtain permission from You to do so.
- 4. Disclosure of Your Personal Information/Data to third parties
  - 4.1. We rely on Service Providers to enable us to provide the Service to You. This means that we may have to share Personal Information/Data with these Service Providers.
  - 4.2. We may disclose Your Personal Information/Data to our Associates and Service Providers, for legitimate business purposes, in accordance with applicable laws and subject to applicable professional and regulatory requirements regarding confidentiality.
  - 4.3. In addition, we may disclose Your Personal Information/Data –
    - 4.3.1. if required by law;

- 4.3.2. to legal and regulatory authorities, upon request, or for the purposes of reporting any actual or suspected breach of applicable law or regulation;
    - 4.3.3. to third party operators (including, but not limited to, data processors), located anywhere in the world, subject to paragraph 4.4 below;
    - 4.3.4. where it is necessary for the purposes of, or in connection with, actual or threatened legal proceedings or establishment, exercise or defence of legal rights;
    - 4.3.5. to any relevant party for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security; and
    - 4.3.6. to any relevant third party acquirer(s), in the event that we sell or transfer all or any portion of our business or assets (including, but not limited to, in the event of a reorganization, dissolution or liquidation).
  - 4.4. If we engage an Operator or Processor to process any of Your Personal Information/Data, we will require such Operators or Processors to be bound by contractual obligations to –
    - 4.4.1. only process such Personal Information/Data in accordance with our prior written instructions; and
    - 4.4.2. use appropriate measures to protect the confidentiality and security of such Personal Information/Data.
5. Retention of Your Personal Information/Data
  - 5.1. candi will retain Your Personal Information/Data only for as long as is necessary for the purposes set out in this Privacy Policy or for a period necessary to comply with our legal obligations (for example, if we are required to retain Your data to comply with applicable laws), resolve disputes, and enforce our legal agreements and policies.
  - 5.2. candi will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of our Service, or we are legally obligated to retain this data for longer time periods.
6. Security of Your Personal Information/Data

- 6.1. The security of Your Personal Information/Data is important to us. We implement appropriate technical and organisational security measures to protect Your Personal Information/Data that is in our possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access, in accordance with applicable law.
- 6.2. In this regard, we take a number of important measures to safeguard the security of Your Personal Information/Data, including the following:
  - 6.2.1. We limit access to Your Personal Information/Data to those employees, agents, contractors, Service Providers and other third parties with a legitimate need to know and, where applicable, ensuring that they are subject to duties of confidentiality.
  - 6.2.2. We have implemented procedures for dealing with data breaches (the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Your Personal Information/Data) including notifying You and the relevant authority where we are legally required to do so.
  - 6.2.3. We have identified all reasonable and foreseeable technical and organizational risks, both internal and external, and introduced security safeguards to mitigate such risks.
  - 6.2.4. We continuously maintain and update our security safeguards to secure Your Personal Information/Data.
- 6.3. Because the internet is an open system, the transmission of information via the internet is not completely secure. Although we will implement all reasonable measures to protect Your Personal Information/Data that is in our possession, we cannot guarantee the security of any information transmitted using the internet and we cannot be held liable for any loss of privacy occurring during the course of such transmission.
7. International Transfer of Your Personal Information/Data
  - 7.1. Your Personal Information/Data, may be processed at candi's operating offices globally. This means that Your Personal Information/Data may be transferred to — and maintained on — computers located outside of Your state, province, country or other governmental jurisdiction where the data protection laws may differ from those from Your jurisdiction.



- 7.2. We aim to only transfer Personal Information/Data outside of Your state, province, country or other governmental jurisdiction provided that the country to which Your Personal Information/Data has adopted a law that provides for an adequate level of protection substantially similar to POPIA or the third party undertakes to protect the Personal Information in line with applicable data protection laws.
- 7.3. We may also transfer Your Personal information/Data to a country whose laws protecting Personal Information may not be as stringent as POPIA. You consent to us processing Your Personal Information/Data in a country whose laws regarding processing of Personal Information/Data may be less stringent.

## 8. Children's Privacy

We do not knowingly collect personally identifiable information from anyone under the age of 18. If You are a parent or guardian and You are aware that Your child has provided us with Personal Information/Data, please contact us using the details in the "Contact us" section of this Privacy Policy. If we become aware that we have collected Personal Information/Data from anyone under the age of 18 without verification of parental consent, we take steps to remove that information from our servers.

## 9. Links to Other Websites

- 9.1. Our Service may contain links to other websites that are not operated by us. If You click on a third party link, You will be directed to that third party's site. We strongly advise You to review the privacy policy of every site You visit.
- 9.2. We have no control over and assume no responsibility for the content, privacy policies or practices of any third party sites or services.

## 10. Cookies

- 10.1. We use Cookies and similar tracking technologies to track the activity on our Service and store certain information. Tracking technologies used are tags and scripts to collect and track information and to improve and analyse our Service. The technologies we use may include:

- 10.1.1. Cookies or Browser Cookies - A cookie is a small file placed on Your Device. You can instruct Your browser to refuse all Cookies or to indicate when a Cookie is being sent. However, if You do not accept Cookies, You might not be able to use some

parts of our Service. Unless You have adjusted Your browser setting so that it will refuse Cookies, our Service may use Cookies.

- 10.1.2. Flash Cookies - Certain features of our Service may use local stored objects (or Flash Cookies) to collect and store information about Your preferences or Your activity on our Service. Flash Cookies are not managed by the same browser settings as those used for Browser Cookies. For more information on how You can delete Flash Cookies, please visit [https://helpx.adobe.com/flash-player/kb/disable-local-shared-objects-flash.html#main\\_Where\\_can\\_I\\_change\\_the\\_settings\\_for\\_disabling\\_or\\_deleting\\_local\\_shared\\_objects](https://helpx.adobe.com/flash-player/kb/disable-local-shared-objects-flash.html#main_Where_can_I_change_the_settings_for_disabling_or_deleting_local_shared_objects)
- 10.1.3. Tags - Certain sections of our Service may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit candi, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of a certain section and verifying system and server integrity).
- 10.2. Cookies can be "Persistent" or "Session" Cookies. Persistent Cookies remain on Your personal computer or mobile device when You go offline, while Session Cookies are deleted as soon as You close Your web browser. You can learn more about cookies [here](#).
- 10.3. We use both Session and Persistent Cookies for the purposes set out below:
  - 10.3.1. **Necessary / Essential Cookies**
    - 10.3.1.1. Type: Session Cookies
    - 10.3.1.2. Administered by: candi
    - 10.3.1.3. Purpose: These Cookies are essential to provide You with the Service and to enable You to use some of its features. They help to authenticate users and prevent fraudulent use of user accounts. Without these Cookies, the Service cannot be provided.
  - 10.3.2. **Cookies Policy / Notice Acceptance Cookies**
    - 10.3.2.1. Type: Persistent Cookies
    - 10.3.2.2. Administered by: candi

10.3.2.3. Purpose: These Cookies identify if users have accepted the use of cookies on the Website.

### 10.3.3. **Functionality Cookies**

10.3.3.1. Type: Persistent Cookies

10.3.3.2. Administered by: candi

10.3.3.3. Purpose: These Cookies allow us to remember choices You make when You use the Website, such as remembering Your login details or language preference. The purpose of these Cookies is to provide You with a more personal experience and to avoid You having to re-enter Your preferences every time You use the Website.

## 11. Your Rights

### 11.1. The right to access Your Personal Information/Data

You have the right to establish what Personal Information/Data we have related to You, including the right to request access to that Personal Information/Data.

### 11.2. The right to have Your Personal Information/Data corrected or deleted

You have the right to request, where necessary, that Your Personal Information/Data must be corrected or deleted where we are no longer authorised to retain Your Personal Information/Data.

### 11.3. The right to object and withdrawal of consent to the processing of Your Personal Information/Data

You have the right, on reasonable grounds, to object to us processing Your Personal Information/Data and to withdraw Your consent for the processing of Your Personal Information/Data. Please refer to the relevant authority for guidance on the correct forms/standards to be used for such objections.

### 11.4. The right to object to direct marketing

You have the right to object to us processing Your Personal Information/Data for purposes of direct marketing by means of unsolicited electronic communications.

### 11.5. The right to complain to the relevant authority

You have the right to submit complaints to the relevant authority regarding an alleged infringement of any of Your rights protected under the Data Protection Laws.

11.6. The right to be informed

You have the right to be notified that Your Personal Information/Data is being collected. You also have the right to be notified in any situation where we have reasonable grounds to believe that Your Personal Information/Data has been accessed or acquired by an unauthorised person.

12. Changes to this Privacy Policy

12.1. We may update our Privacy Policy from time to time. We will notify You of any changes by posting the new Privacy Policy on our Website.

12.2. You are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective as at the date specified at the top of this Privacy Policy.

13. Contact us

If You have any questions, complaints or objections regarding this Privacy Policy, You can contact us –

13.1. by e-mail at [info@candi.solar](mailto:info@candi.solar); or

13.2. by visiting this page on our Website: <https://www.candi.solar/contact>.