

Website Privacy Policy

SOLINK

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1 **INTRODUCTION AND SCOPE OF THIS POLICY**

- 1.1 This Privacy Policy ("Policy") governs the Processing of Personal Information by SOLINK (Pty) Ltd ("Company", "we", "us", "our") in compliance with the Protection of Personal Information Act 4 of 2013 ("POPIA") and other applicable data protection laws.
- 1.2 This Policy applies to all Personal Information we collect when you access our Website (<https://solink.co.za/core/>) or use our related services ("Services"). This includes information you provide when you register an account, use our feasibility services, make purchases, or otherwise interact with our platform.
- 1.3 By accessing our Website, registering an account, or using our Services, you acknowledge that you have read, understood, and agree to the terms of this Policy. If you do not agree with this Policy, you must immediately cease all use of our Website and Services.
- 1.4 This Policy forms an integral part of our Website Terms of Service and should be read in conjunction with them.

2 **DEFINITIONS**

- 2.1 "Business Day" means any day other than a Saturday, Sunday, or public holiday observed in the Republic of South Africa.
- 2.2 "Company", "we", "us", or "our" means SOLINK (Pty) Ltd (Registration Number: 2018/533899/07), a private company duly registered in accordance with the laws of the Republic of South Africa.
- 2.3 "Consent" means any voluntary, specific, and informed expression of will in terms of which a Data Subject agrees to the Processing of their Personal Information, as defined in POPIA.
- 2.4 "Cookies" means small text files placed on your device when you visit our Website, used to store information about your preferences and browsing activity.
- 2.5 "CPA" means the Consumer Protection Act 68 of 2008, as amended from time to time.
- 2.6 "Data Breach" means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Information transmitted, stored, or otherwise Processed.
- 2.7 "Data Subject" means the individual to whom Personal Information relates, including but not limited to users of the Website.
- 2.8 "ECTA" means the Electronic Communications and Transactions Act 25 of 2002, as amended from time to time.
- 2.9 "GDPR" means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (the General Data Protection Regulation).

- 2.10 "Information Officer" means the person appointed as such in terms of section 56 of POPIA, whose details are provided in clause 3 of this Policy.
- 2.11 "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 that Responsible Party, as defined in POPIA.
- 2.12 "Personal Information" means information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, as defined in section 1 of POPIA, including but not limited to the information listed in clause 4 of this Policy.
- 2.13 "POPIA" means the Protection of Personal Information Act 4 of 2013, as amended from time to time.
- 2.14 "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, use, dissemination by means of transmission, distribution or making available in any other form, merging, linking, as well as blocking, degradation, erasure or destruction of information, as defined in POPIA.
- 2.15 "Responsible Party" means the Company as the party who determines the purpose of and means for Processing Personal Information, as defined in POPIA.
- 2.16 "Services" means the services offered by the Company through the Website, including but not limited to the Free Feasibility Service and Detailed Feasibility Service.
- 2.17 "Special Personal Information" means Personal Information concerning a Data Subject's religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information, or criminal behaviour, as defined in POPIA.
- 2.18 "Third Party" means any natural or juristic person other than the Data Subject, Responsible Party, or Operator, as defined in POPIA.
- 2.19 "User" or "you" means any individual or entity who accesses or uses the Website, whether or not such person has registered an account.
- 2.20 "Website" means the SOLINK Core website and its sub-pages, accessible at <https://solink.co.za/core/>, including all content, features, and functionality therein.

3 THE RESPONSIBLE PARTY AND INFORMATION OFFICER

- 3.1 SOLINK (Pty) Ltd (Registration Number: 2018/533899/07) ("the Company") is the "Responsible Party" as defined in the Protection of Personal Information Act 4 of 2013 ("POPIA"). The Company is responsible for determining the purpose of and means for Processing Personal Information collected through this Website.

- 3.2 In compliance with section 56 of POPIA, the Company has appointed an Information Officer who is responsible for ensuring the Company's compliance with the provisions of POPIA. The Information Officer's details are as follows:
- 3.2.1 Name: Nicole Andrews
- 3.2.2 Email: info@solink.co.za
- 3.3 The Information Officer's responsibilities include encouraging compliance with POPIA's conditions for lawful Processing, dealing with requests made to the Company under POPIA, and working with the Information Regulator in relation to any investigations.
- 3.4 All requests, queries, or concerns relating to this Policy or the exercise of your rights as a Data Subject should be directed to the Information Officer at the contact details provided above.

4 **PERSONAL INFORMATION WE COLLECT**

- 4.1 We collect your Personal Information in the following ways:

4.1.1 **Information You Provide Directly to Us**

- 4.1.1.1 We collect Personal Information directly from you when you use our Website or Services. The categories of information we collect include:
- 4.1.1.2 Identity and Business Information: First name, surname, company name, and company registration number.
- 4.1.1.3 Contact Information: Email address, phone number, and physical address.
- 4.1.1.4 Transaction Information: Details of services or products you have purchased from us and payment history. Please note that we do not store your full payment card details.
- 4.1.1.5 Preference Information: Your language and communication preferences.
- 4.1.1.6 We collect this information when you:
- 4.1.1.6.1.1 Register for an account on our Website;
- 4.1.1.6.1.2 Request or use our Services;
- 4.1.1.6.1.3 Make a purchase or complete a transaction;
- 4.1.1.6.1.4 Contact us with an enquiry or for support.

4.1.2 **Information We Collect Automatically**

- 4.1.2.1 When you visit our Website, we automatically collect certain technical information. This may include your IP address, browser type and version,

operating system, and information about your usage patterns. This information is collected through Cookies and similar technologies, as further detailed in our Cookies Policy (see clause 12).

4.2 **Provision of Information**

4.2.1 The provision of certain Personal Information is mandatory for us to provide our Services to you. This will be indicated at the time of collection. If you do not provide this mandatory information, we may not be able to deliver the requested Services or create your account.

4.3 **Special Personal Information**

4.3.1 We do not intentionally collect Special Personal Information as defined in the Protection of Personal Information Act (POPIA). If you voluntarily provide such information to us, you explicitly consent to us Processing it for the purpose for which it was provided.

5 **HOW WE USE YOUR PERSONAL INFORMATION (PURPOSE OF PROCESSING)**

5.1 We will only Process your Personal Information for a specific, explicit and lawful purpose. We Process your Personal Information for the following purposes and on the following legal bases:

5.1.1 **To provide our Services and fulfil our contract with you:** To create and manage your account, process transactions, generate and deliver feasibility reports, and fulfil our other contractual obligations. This Processing is necessary for the performance of our contract with you.

5.1.2 **To communicate with you:** To send you important information about your account, our Services, and changes to our policies. This Processing is based on our legitimate interest to maintain proper business communications and to perform our contract with you.

5.1.3 **For marketing purposes:** To send you promotional communications about our products, services, and special offers. We will only do this with your explicit Consent, which you may withdraw at any time.

5.1.4 **To improve our Website and Services:** To analyse usage trends, monitor user behaviour, and gather feedback to improve our offerings. This Processing is based on our legitimate interest to develop and grow our business. Where possible, we use anonymised or aggregated data for this purpose.

5.1.5 **For security and fraud prevention:** To protect the security and integrity of our Website, prevent fraudulent activity, and ensure the safety of our business and our

users. This Processing is based on our legitimate interests and our legal obligations.

5.1.6 **To comply with legal obligations:** To comply with applicable South African laws, regulations, and legal processes, including our obligations under POPIA, ECTA, and tax legislation, and to respond to lawful requests from public authorities.

5.2 We will not Process your Personal Information for any purpose that is incompatible with the purposes for which it was collected, unless we have a legal basis to do so or have obtained your additional Consent.

6 **DIRECT MARKETING CONSENT**

6.1 We will only use your Personal Information for direct marketing purposes with your express Consent, as required by section 69 of the Protection of Personal Information Act 4 of 2013 (POPIA) and the Consumer Protection Act 68 of 2008.

6.2 When you register an account or use our Services, we will request your Consent to send you marketing communications via electronic means (including email and SMS). You may give or withhold Consent through an explicit opt-in mechanism.

6.3 You have the right to object to or withdraw your Consent for direct marketing at any time, free of charge and without penalty. You may exercise this right by:

6.3.1 Using the unsubscribe link provided in every marketing communication we send; or

6.3.2 Contacting our Information Officer at info@solink.co.za.

6.4 We will process your opt-out request within a reasonable time. Please note that unsubscribing from marketing communications will not prevent you from receiving essential transactional and service-related communications necessary for your use of our Services.

6.5 All direct marketing communications will clearly identify us as the sender.

6.6 We will not share your Personal Information with any third party for their direct marketing purposes without your separate and express Consent.

7 **DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES**

7.1 We will not sell, trade, or otherwise transfer your Personal Information to Third Parties for their independent use without your express Consent, except as set forth in this Policy.

7.2 We may disclose your Personal Information to the following categories of recipients where necessary and lawful:

- 7.2.1 **Service Providers (Operators):** We share information with trusted Third Parties who assist us in operating our Website, conducting our business, or providing Services to you (such as payment processors, IT service providers, and analytics providers).
- 7.2.2 **Professional Advisors:** We may share information with our professional advisors, including lawyers, auditors, and insurers, where necessary in the course of the professional services that they render to us.
- 7.2.3 **Legal and Regulatory Authorities:** We may disclose information when we believe in good faith that disclosure is necessary to comply with applicable laws, regulations, legal processes, or lawful governmental requests; to establish or defend our legal rights; or to protect the rights, property, or safety of our company, our users, or the public.
- 7.2.4 **Business Transfers:** In the event of a merger, acquisition, reorganisation, bankruptcy, or sale of all or a portion of our assets, your Personal Information may be transferred as part of the transaction, provided the receiving party agrees to a privacy policy that provides a level of protection for your Personal Information that is at least as protective as this Policy.
- 7.3 We require all Third Parties, including Operators, to respect the security of your Personal Information and to treat it in accordance with the law. We will ensure that any Third Party to whom we disclose your Personal Information provides an adequate level of protection for your information, in accordance with the requirements of POPIA. We do not allow our Third-Party service providers to use your Personal Information for their own purposes and only permit them to Process your Personal Information for specified purposes and in accordance with our written instructions.
- 7.4 We will not disclose your Personal Information to any Third Party for their own direct marketing purposes without your separate and express Consent.

8 **INTERNATIONAL TRANSFER OF PERSONAL INFORMATION**

- 8.1 Your Personal Information may be processed in South Africa or transferred to other countries where we, our affiliates, or our service providers (Operators) maintain operations. We may need to transfer your Personal Information to another country for purposes such as data storage on cloud-based servers or to use the services of international providers.
- 8.2 We will only transfer your Personal Information to a third party in a foreign country in compliance with the Protection of Personal Information Act (POPIA). Any such transfer will be subject to one of the following conditions being met:

- 8.2.1 The recipient country has data protection laws that provide an adequate level of protection for your Personal Information;
 - 8.2.2 You have provided your explicit Consent for the proposed transfer;
 - 8.2.3 The transfer is necessary for the performance of a contract between you and us, or for the implementation of pre-contractual measures taken at your request;
 - 8.2.4 The transfer is necessary for the conclusion or performance of a contract concluded in your interest between us and a third party;
 - 8.2.5 The transfer is necessary for important reasons of public interest, or for the establishment, exercise or defence of legal claims; or
 - 8.2.6 The recipient is subject to binding corporate rules or a binding agreement which provides an adequate level of protection.
- 8.3 Where we transfer your Personal Information to a country that does not have adequate data protection laws, we will implement appropriate safeguards to ensure your Personal Information is protected. These safeguards may include entering into legally binding data transfer agreements, such as standard contractual clauses approved by the Information Regulator, with the recipient.
- 8.4 You may request further information about the safeguards we have put in place for the international transfer of your Personal Information by contacting our Information Officer at nicole@solink.co.za.

9 SECURITY OF YOUR PERSONAL INFORMATION AND DATA BREACHES

- 9.1 We implement appropriate, reasonable technical and organisational measures to protect the confidentiality, integrity, and availability of your Personal Information in accordance with section 19 of the Protection of Personal Information Act, 4 of 2013 ("POPIA"). These measures are designed to prevent loss of, damage to, or unauthorised destruction of Personal Information and unlawful access to or processing of Personal Information. Measures include, but are not limited to, encryption, access controls, secure network architectures, and regular security testing.
- 9.2 All Personal Information collected is stored on secure servers. We restrict access to your Personal Information to our employees and Operators who have a legitimate business need to know that information to provide our Services, and who are subject to strict contractual confidentiality obligations.
- 9.3 Where we engage third-party service providers ("Operators") to Process Personal Information on our behalf, we require them to implement and maintain equivalent security measures through binding contractual agreements.

- 9.4 While we take all reasonable steps to secure your Personal Information, no data transmission over the internet or electronic storage system can be guaranteed to be 100% secure. You acknowledge and accept this inherent risk when providing Personal Information to us.
- 9.5 In the event of a Data Breach where we have reasonable grounds to believe that the Personal Information of a Data Subject has been accessed or acquired by any unauthorised person, we will, in accordance with section 22 of POPIA:
 - 9.5.1 Notify the Information Regulator and the affected Data Subject(s) as soon as reasonably possible, unless instructed otherwise by the Information Regulator or a public body;
 - 9.5.2 Take immediate steps to contain the breach, mitigate any potential harm, and assess the extent of the compromise; and
 - 9.5.3 Implement remedial measures to prevent the recurrence of such a breach.
- 9.6 You are responsible for maintaining the confidentiality of your account credentials. We recommend using a strong, unique password and enabling multi-factor authentication where available. You must notify us immediately at info@solink.co.za if you suspect any unauthorised access to or use of your account.

10 **DATA RETENTION**

- 10.1 We will not retain your Personal Information for longer than is necessary to fulfil the purposes for which it was collected, unless a longer retention period is required or permitted by law in accordance with section 14 of the Protection of Personal Information Act 4 of 2013 (POPIA).
- 10.2 To determine the appropriate retention period for Personal Information, we consider:
 - 10.2.1 The purpose for which we originally collected the information;
 - 10.2.2 Our ongoing legitimate business needs, such as for record-keeping and dispute resolution;
 - 10.2.3 Specific legal, tax, and regulatory requirements that mandate retention (such as the Companies Act 71 of 2008 and the Value-Added Tax Act 89 of 1991); and
 - 10.2.4 The potential risk of harm from unauthorised use or disclosure of the information.
- 10.3 As a general guideline, we will retain:
 - 10.3.1 Account information and transaction records for a minimum of 5 (five) years from the date of your last activity or account closure, as required by South African tax and company laws;

- 10.3.2 Marketing preferences and related information until you withdraw your Consent or unsubscribe from our communications; and
- 10.3.3 Automatically collected technical data (such as IP addresses and browsing information) for a maximum of 12 (twelve) months from the date of collection.
- 10.4 Upon expiration of the applicable retention period, we will securely destroy, delete, or permanently de-identify (anonymise) your Personal Information in accordance with our data destruction policies and applicable laws.
- 10.5 Notwithstanding the above, we may retain your Personal Information for a longer period where necessary for:
 - 10.5.1 Compliance with a legal obligation;
 - 10.5.2 The establishment, exercise, or defence of legal claims; or
 - 10.5.3 Archiving purposes in the public interest, or for scientific, historical, or statistical research purposes, subject to appropriate safeguards.
- 10.6 You may request the deletion of your Personal Information in accordance with your rights under clause 11, subject to the limitations and exceptions set out in this clause.

11 YOUR RIGHTS AS A DATA SUBJECT UNDER POPIA

- 11.1 In accordance with the Protection of Personal Information Act 4 of 2013 ("POPIA"), you have the following rights regarding your Personal Information:
 - 11.1.1 **Right of Access:** You may request confirmation whether we hold Personal Information about you and request access to that information, including information about the identity of all Third Parties who have or have had access to your Personal Information.
 - 11.1.2 **Right to Rectification:** You may request the correction, updating, or deletion of your Personal Information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or unlawfully obtained.
 - 11.1.3 **Right to Object:** You may object, on reasonable grounds, to the Processing of your Personal Information. You have an absolute right to object to the Processing of your Personal Information for the purposes of direct marketing.
 - 11.1.4 **Right to Erasure:** You may request the deletion or destruction of your Personal Information where we no longer have a lawful basis to retain it, subject to our legal obligations to preserve records.
 - 11.1.5 **Right to Restrict Processing:** You may request that we restrict the Processing of your Personal Information in certain circumstances, such as when you are contesting the accuracy of the information.

- 11.1.6 **Right to Withdraw Consent:** Where Processing is based on your Consent, you may withdraw that Consent at any time, without affecting the lawfulness of Processing based on Consent before its withdrawal.
- 11.1.7 **Right to Data Portability:** Where applicable, you may request that your Personal Information be transferred to another Responsible Party in a structured, commonly used, and machine-readable format.
- 11.1.8 **Right to Lodge a Complaint:** You have the right to lodge a complaint with the Information Regulator regarding any alleged interference with the protection of your Personal Information.
- 11.2 To exercise any of these rights, please submit a written request to our Information Officer at info@solink.co.za. We may require you to provide proof of your identity before we can process your request and will respond within the timeframes prescribed by POPIA.
- 11.3 Please note that your rights may be subject to certain limitations as permitted by law. We may refuse your request where it is manifestly unfounded or excessive, or where we have a legal obligation or other overriding legitimate grounds to continue Processing. We will provide you with written reasons for any refusal.
- 11.4 The Information Regulator (South Africa) can be contacted at:
 - 11.4.1 Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
 - 11.4.2 Complaints Email: complaints.IR@justice.gov.za
 - 11.4.3 General Enquiries Email: inforeg@justice.gov.za
 - 11.4.4 Website: <https://inforegulator.org.za/>

12 **USE OF COOKIES AND SIMILAR TECHNOLOGIES**

- 12.1 Our Website uses cookies and similar tracking technologies (such as web beacons and pixels) to distinguish you from other users. This helps us to provide you with a good experience when you browse our Website and also allows us to improve our site, analyse traffic, and for advertising purposes.
- 12.2 When you first visit our Website, you will be presented with a banner requesting your consent for the use of non-essential cookies. You can manage your preferences at any time through our cookie consent tool or by adjusting your browser settings. Your consent is not required for strictly necessary cookies.
- 12.3 We use the following categories of cookies:
 - 12.3.1 **Strictly Necessary Cookies:** These are required for the operation of our Website and cannot be switched off. They are typically set in response to your actions, such as setting your privacy preferences, logging in, or completing forms.

12.3.2 **Performance and Analytics Cookies:** These allow us to recognise and count the number of visitors and to see how visitors move around our Website. This helps us to improve the way our Website works. All information these cookies collect is aggregated and therefore anonymous.

12.3.3 **Functional Cookies:** These are used to recognise you when you return to our Website. This enables us to personalise our content for you, greet you by name, and remember your preferences (for example, your choice of language or region).

12.3.4 **Targeting or Advertising Cookies:** These cookies record your visit to our Website, the pages you have visited, and the links you have followed. We will use this information to make our Website and the advertising displayed on it more relevant to your interests.

12.4 The information collected through these technologies may include your IP address, browser type, operating system, referring URLs, and information about your interactions with our Website. This information is used for the purposes described above and is anonymised or pseudonymised where possible.

12.5 Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These third-party cookies are subject to the respective third party's privacy policies.

12.6 You can control and/or delete cookies as you wish through your browser settings. However, if you use your browser settings to block all cookies (including strictly necessary cookies), you may not be able to access all or parts of our Website.

12.7 We do not use cookies to knowingly collect or process Special Personal Information, as defined by the Protection of Personal Information Act (POPIA), without your explicit consent.

13 **INFORMATION RELATING TO CHILDREN**

13.1 Our Website and Services are not directed to or intended for use by children under the age of 18. We do not knowingly collect Personal Information from children under 18 without verifiable parental or guardian Consent.

13.2 If we become aware that we have collected Personal Information from a child under 18 without appropriate Consent, we will take reasonable steps to delete such information from our records as soon as practicable.

13.3 If you are a parent or guardian and believe your child has provided us with Personal Information without your Consent, please contact our Information Officer at info@solink.co.za. We will investigate and take appropriate action in accordance with applicable laws.

14 CHANGES TO THIS PRIVACY POLICY

- 14.1 We may amend this Privacy Policy from time to time to reflect changes in our information Processing practices, legal requirements, or our Services. The updated version will be indicated by an updated "Last Updated" date at the top of this Policy.
- 14.2 We will notify you of any material changes to this Policy through prominent notices on our Website or by direct communication to your registered email address at least 30 (thirty) days prior to the changes taking effect, where reasonably practicable.
- 14.3 Where required by applicable law, such as the Protection of Personal Information Act (POPIA), we will obtain your explicit consent before implementing material changes that affect how we Process your Personal Information.
- 14.4 For all other changes, your continued use of our Website or Services after the effective date constitutes your acceptance of the amended Policy. If you do not agree with the changes, you must discontinue your use of our Website and Services.
- 14.5 We encourage you to periodically review this Policy to stay informed about how we are protecting your Personal Information.

15 GOVERNING LAW

- 15.1 This Privacy Policy and any matters arising out of or in connection with it shall be governed by and construed in accordance with the laws of the Republic of South Africa, including the Protection of Personal Information Act 4 of 2013 (POPIA), the Electronic Communications and Transactions Act 25 of 2002 (ECTA), and the Consumer Protection Act 68 of 2008 (CPA), without giving effect to any principles of conflict of laws.
- 15.2 Any dispute arising from or in connection with this Policy shall be subject to the exclusive jurisdiction of the courts of the Republic of South Africa, with the High Court of South Africa, Western Cape Division, Cape Town, having primary jurisdiction.
- 15.3 Notwithstanding the foregoing, nothing in this clause shall limit your right to lodge a complaint with the Information Regulator of South Africa in terms of the Protection of Personal Information Act 4 of 2013.

16 HOW TO CONTACT US

- 16.1 If you have any questions, concerns, or requests regarding this Privacy Policy or our Processing of your Personal Information, you may contact our Information Officer using the following details:
 - 16.1.1 Name: Nicole Andrews
 - 16.1.2 Email: info@solink.co.za

16.1.3 Telephone: 021 300 0485

16.1.4 Postal Address: Old Warehouse Building, Black River Park, Observatory, Cape Town,
7925, South Africa

- 16.2 For matters relating to the exercise of your rights under the Protection of Personal Information Act 4 of 2013 (POPIA), please mark your correspondence clearly as "POPIA Request" to ensure prompt attention.
- 16.3 We will respond to all legitimate requests within the timeframes required by applicable law, typically within 30 (thirty) Business Days of receipt.
- 16.4 Should you have a complaint that we are unable to resolve, you have the right to contact the Information Regulator of South Africa at complaints.IR@justice.gov.za.