

# PRIVACY POLICY

COMPILED IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT,  
NO. 4 OF 2013 FOR

## MADIKELA ADVENTURE RETREAT PROPRIETARY LIMITED

with Registration Number: 2025/248864/07

T/A MADIKELA GAME LODGE

(Hereinafter referred to as “**this Policy**”)

### 1. INTRODUCTION

1. The Company processes, including, collects, uses and discloses Personal Information in order to perform its business functions and activities, including the Personal Information of users of its Services or Website, suppliers, and employees.
2. This Policy aims to provide an understanding of what Personal Information is collected by the Company, the manner in and purpose for which it is processed, and to ensure compliance with the Act (and other relevant legislation).
3. The Company has appointed an Information Officer, who is responsible for overseeing questions in relation to the Privacy Policy. Please feel free to contact the Information Officer at [info@madikela.co.za](mailto:info@madikela.co.za) if you have any queries or concerns relating to this Privacy Policy or your rights under data protection legislation that is applicable to you. Requests in writing can also be addressed to the physical/postal address of the Company as set out in clause 3.2 below.
4. By engaging with the Company, you accept and consent to the terms of this Policy. If there is concern about any parts of this Policy insofar as it relates to the Data Subject's Personal Information, the Data Subject must not engage with the Company, or use its Services and/or Website.

### 2. INTERPRETATION

1. Unless such meaning is inconsistent with the context, the following terms shall, throughout this Policy, have the meanings respectively ascribed to them, namely:-
  - i. “**Act**” means the Protection of Personal Information Act No. 4 of 2013
  - ii. “**Company**” means Madikela Adventure Retreat Proprietary Limited with Registration Number: 2025/248864/07 trading as Madikela Game Lodge;
  - iii. “**Consent**” means any voluntary, specific and informed expression of will in terms of which permission is given to the processing of Personal Information, as ascribed to it in the Act;
  - iv. “**Data Subject**” means any natural or juristic person who interacts with the Company in any manner and/or to whom the Personal Information in question relates, and shall further bear the meaning ascribed to it in the Act, and shall include the plural, where appropriate;
  - v. “**Information Officer**” shall bear the meaning ascribed to it in the Act, and in terms of the Act, means the head of the Company, and is the individual responsible for ensuring the Company's compliance with the Act;
  - vi. “**Personal Information**” shall bear the meaning ascribed to it in the Act;
  - vii. “**Policy**” means this privacy policy for the Company, compiled in terms of the Act;
  - viii. “**Processing**” shall bear the meaning ascribed to it in the Act;
  - ix. “**Services**” means the provision of the Website by the Company and the services of game lodge accommodation;

- x. **“Special Personal Information”** means the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information or information about your criminal offences or convictions;
- xi. **“Website”** means the website at [www.madikela.co.za](http://www.madikela.co.za), as updated from time to time.

### 3. NATURE OF BUSINESS AND CONTACT DETAILS

- 1. **Nature of Business:** Madikela Game Lodge provides accommodation in a number of lodges within a private game reserve, including various communal facilities for guests, such as swimming pools, playground area, games room, putt-putt course, etc.
- 2. **Contact Details:**

|                               |                                                              |
|-------------------------------|--------------------------------------------------------------|
| Name of the Body:             | Madikela Adventure Retreat (Pty) Ltd t/a Madikela Game Lodge |
| Head of the Body:             | Kirsten Hubbard                                              |
| Information Officer:          | Kirsten Hubbard                                              |
| Deputy Information Officer(s) | N/A                                                          |
| Physical Address:             | Madikela Private Game Reserve, Vaalwater, Polokwane, 0530    |
| Postal Address:               | Same as above                                                |
| Telephone Number:             | +27(83) 759-0088                                             |
| Email Address:                | info@madikela.co.za                                          |

### 4. WHAT AND WHO DOES THIS POLICY APPLY TO?

- 1. This Policy applies to any processing by the Company or any processing on its behalf, of Personal Information relating to a Data Subject, this includes any person or entity who telephonically or electronically contacts the Company or accesses and/or uses the Company’s Website or its Services or a provider of products and/or services to the Company, clients, suppliers, partners, commercial partners, employees and other Data Subjects that engage with the Company.
- 2. The Company may make use of third parties to receive bookings. This Policy does not apply to the processing of Personal Information by other third parties relating to or by means of other parties’ websites, products or services, such as websites linked to, from or advertised on the Company’s Website or through its Services, or sites which link to or advertise the Company, including its Website or Services. The Data Subject is subject to the policies of such third parties, and it is recommend that he / she considers same prior to the use of the such services.

### 5. PERSONAL INFORMATION COLLECTED BY THE COMPANY

The type and extent of Personal Information collected by the Company depends on the context and manner of the Data Subject’s interaction with the Company.

#### 1. Personal Information

- i. The Personal Information collected by the Company can include the following:
  - 1. name and identification documents or details, which in the case of a natural person includes their full names, identity document, photograph,

- date of birth, title, gender and race; and in the case of a juristic person includes the name of the entity, registration number;
2. contact details, which include telephone number, email address, physical address, postal address, billing address, country of residence, nationality, country of birth, emergency contact details and other similar contact data;
  3. booking records, which includes duration, price paid, accommodation information, the date of booking or any other relevant booking information provided by the user;
  4. payment / transaction data, which includes credit card numbers, the security codes associated with a Data Subject's payment instrument, banking details and/or any other credit card related information.

## **2. Personal Information of Children**

1. The Company may (but does not in the ordinary course of business) process the Personal Information of children but only with the consent of a legally competent person (as defined in the Act), or unless permitted by law.
2. If a parent, guardian or any legally competent person becomes aware that his or her child (or any other person) has provided the Company with Personal Information of the child without their consent, he or she must contact the Company using the contact details of the Information Officer.

## **3. Compulsory Personal Information and consequences of not sharing it with the Company**

1. The Company will only collect Personal Information that is required, however, in some instances, while it may not be compulsory to provide certain Personal Information to the Company, it may restrict the Company's ability to accommodate a Data Subject's needs when providing the Company's Services, to perform in terms of its contract with the Data Subject, or otherwise. In other instances, it is compulsory to provide Personal Information including, in compliance with the law. This will depend on the nature of a Data Subject's engagement or relationship with the Company, and will be highlighted in each instance.
2. If Data Subjects do not agree to share compulsory Personal Information with the Company, then they will not be able to engage and/or transact with the Company, supply their products or services to the Company, or make use of the Company's Services.

## **4. Updating Personal Information**

1. The Company endeavours to maintain the accuracy and completeness of Personal Information, and to ensure all of the Personal Information is up to date.
2. The Company must be informed when there is a change to a Data Subject's Personal Information or if the Company has incomplete, inaccurate, misleading or out of date Personal Information as soon as reasonably possible to enable the Company to update the Personal Information. The Company will take all reasonable steps to confirm the identity of the Data Subject or the authority of the person requesting to make changes to the Personal Information.

## **6. WAYS IN WHICH THE COMPANY COLLECTS PERSONAL INFORMATION**

### **1. Directly from the Data Subject**

1. The Company only collects information in compliance with the Act. This includes:
  1. From dealings with the Company and making bookings, which includes in person, by telephone, email, WhatsApp, text message;
    - a. When using the Company's Services;

- b. Upon visiting the Company's Website;
2. When connecting with the Company via its social media pages;
3. When making enquiries, orders, transacting for products or services with the Company;
4. When entering competitions or registering for promotions;
5. When subscribing to receive marketing from the Company (e.g. e-newsletters);
6. When concluding an agreement with the Company;
7. When necessary for the fulfillment of the Company's statutory or regulatory obligations.

2. Unless the Data Subject chooses to do so under a pseudonym or anonymously, the Company may also collect Personal Information (other than sensitive information) when surveys are completed or feedback is given.

## **2. Collection from a Third Party**

1. In some circumstances, the Company may collect Personal Information about a Data Subject from a third party, including in instances where a user of the Company's Services, Website submits information about that Data Subject (in this case, the Personal Information of others is not specifically requested by the Company, but may be shared by the user voluntarily). Where this occurs, the Company will understand this to mean that the person or entity has obtained the consent of the Data Subject, to collect, use, and share their Personal Information with the Company in line with terms of this Policy.
2. The Company may receive Personal Information from partners, agents, commercial partners and various third parties, including banking institutions and other financial services providers, and publicly available sources.
3. A Data Subject must immediately inform the Company if he/she/it becomes aware that their Personal Information has been provided to the Company by another person or entity without their consent. Similarly, any party that has provided Personal Information of another must immediately inform the Company if he/she/it did not obtain consent or if previously provided consent has been subsequently withdrawn.

## **7. THE PROCESSING OF PERSONAL INFORMATION**

1. The Company will only use Personal Information when the law allows it to do so.
2. The Company hereby undertakes to only process Personal Information where:-
  1. consent has been provided by the Data Subject to which the Personal Information relates, which consent is obtained by virtue of the contract with the Company, through agreement to the terms of this Policy and in other instances whereby consent will be specifically provided or requested;
  2. the Processing is necessary to provide the Company's Services to the Data Subject or to perform or conclude the contract which it has entered in to with the Data Subject (including providing access and use of the Website );
  3. the Processing is undertaken in the furtherance of the Company's business objectives;
  4. the Processing is necessary for the compliance with any obligations imposed onto the Company by any law of the Republic of South Africa and/or international law;
  5. the Processing is necessary for the legitimate and lawful interests of the Company and/or those of any third-party recipients that assist in furthering the business objectives of the Company;

6. the Processing of Personal Information is conducted in accordance with achieving a specific purpose, as required in terms of the Act.

3. The Company may Process a Data Subject's Personal Information for several purposes, all of which are context specific depending on the type of engagement with the Company and a number have been mentioned throughout the Policy but also include, dependent on context:

1. customer care and support which includes, providing information regarding requests about the Company's Services or Website; handling requests, complaints and comments;
2. sending personalized newsletters and communications according to the Data Subject's preferences and sending information about similar products and services to the Data Subject similar to ones already booked by the Data Subject;
3. to maintain and update the Company's client or user, or potential client or user databases;
4. complying with regulatory reporting and statutory obligations;
5. any uses set out in another contract, agreement, instruction or instance of the Company;
6. fulfilling any contractual terms that the Company has to the Data Subject or any third party;
7. to maintain and improve the Website and to improve the experience of the Company's Website to users, including by requesting feedback from the Website users on the Company's Services; to retain and make information available on the Website ;
8. authentication and identity checks;
9. to enhance the safety and security of the Company's Services and for health, training, administrative and legal purposes;
10. data matching and dedupe, statistical and market analysis;
11. advertising and marketing for the Company, its affiliates and third parties;
12. developing, testing and maintaining systems;
13. studies, research and development of new features, products or services;
14. credit, debit or other payment card verification and screening and/or any other type of payment related Personal Information;
  1. in relation to supplier information, to create profiles on our systems, to receive and make payment, and for general supplier administration (including the updating and maintaining of the Company's supplier database (including potential suppliers);
  2. for business operations, which includes using Personal Information for business management activities, including to assist with incident management and to enable the Company to conduct reporting;
  3. accounting, billing, reporting and auditing;
  4. credit checking or screening;
  5. debt collection;
  6. where required by law and/or in connection with legal proceedings or disputes;
  7. the facilitation of insurance and finance solutions in connection with the Company's products and/or services;
  8. for the furtherance of the legitimate interests of the Data Subject or in public interest;

9. for other activities and/or purposes which are lawful, reasonable and adequate, relevant and not excessive in relation to the provision of the Company's services and/or the use of the Company's website, its business activities or such other purpose for which it was collected.

## **8. FURTHER PROCESSING PERSONAL INFORMATION TO BE COMPATIBLE WITH PURPOSE OF COLLECTION**

1. The Company will only use Personal Information for the purposes for which it collected it, unless it reasonably considers it necessary to use it for another reason, and that the reason is compatible with the original purpose. If the Company needs to use Personal Information for an unrelated purpose, the Company will notify and explain the legal basis for this.

## **9. SHARING OF PERSONAL INFORMATION**

1. The Company will not intentionally share Personal Information, whether for commercial gain or otherwise, other than with permission, as permitted by applicable law, where it necessary to administer the relationship with the Data Subject, where a legitimate interest exists for doing so or in the manner as set out in this Policy
2. The Data Subject agrees and gives permission for the Company to share his/her/its Personal Information under the following circumstances, dependent on context: -
  1. with the Company's agents, advisers, business partners, suppliers and other third parties, or any other person or entity that has agreed to be bound by the Act and this Policy or similar terms, which offer the same level of protection as this Policy;
  2. with the Company's employees, suppliers, consultants, contractors and agents if and to the extent that they require such Personal Information in order to process it for the Company and/or in the provision of services for or to the Company;
  3. with service providers that perform services for or on behalf of the Company, including, payroll services, advisory services, marketing services, providing mailing or email services, tax and accounting services, product or service fulfillment services, payments or transaction processing, photo sharing, data processing, enhancement and security services, medical and health purposes, insurances fraud prevention, web hosting, analytic services, or other online functionality, subject to appropriate contractual terms protecting the confidentiality and use of such data;
  4. to enable the Company to enforce or apply any agreement that the Data Subject has with the Company;
  5. to protect the Company's rights, property or safety or that of the users of its Services, Website or its clients, employees, contractors, suppliers, agents and any other third party;
  6. with governmental agencies and other regulatory or self-regulatory bodies, if required to do so by law.

## **10. STORAGE AND TRANSFER OF YOUR PERSONAL INFORMATION**

1. Personal Information is stored in the following ways:
  1. on the Company's premises, in the form of hard copies;
  2. the premises of third-party service providers such as document storage service providers;
  3. the Company's servers; or
  4. on the servers of the Company's third-party service providers, such as IT systems or hosting service providers.
2. In the event of the scenarios contemplated in clauses 10.1.2 and 10.1.4, the Company will ensure that it has entered into written agreements with those third-party service providers requiring them to secure the integrity and confidentiality of Personal Information

in their possession by taking appropriate, reasonable, technical and organizational measures.

3. From time to time, the Company and its service providers may need to transfer to and/or store Personal Information on servers in a jurisdiction other than where it was collected (i.e. outside of South Africa) and the Company hereby notifies the Data Subject that such jurisdiction may not have comparable data protection legislation.
4. If the location to which Personal Information is transferred and/or is stored does not have substantially similar laws to those of South Africa, which provide for the protection of Personal Information, the Company will take reasonably practicable steps, including the imposition of appropriate contractual terms, to ensure that the Personal Information is adequately protected in that jurisdiction.

#### **11. SECURITY**

1. The Company takes reasonable technical and organizational measures to secure the integrity of Personal Information and using accepted technological standards to prevent unauthorized access to or disclosure of Personal Information, and protect Personal Information from misuse, loss, alteration and destruction.
2. In this clause, any person or entity engaging with the Company acknowledges that he/she/it knows and accepts that, notwithstanding anything contained in this Policy, the Company will not be liable for any loss, claim and/or damage from any unauthorized access, disclosure, misuse, loss, alteration or destruction of Personal Information.

#### **12. RESTRICTION AND RETENTION OF PERSONAL INFORMATION**

1. The Company may retain Personal Information only for as long as: -
  1. the Data Subject continues to engage with the Company; to provide products or services to the Company; accesses or uses the Company's Website and its content; retains an account with the Company; or uses the Services of the Company;
  2. until a Data Subject contacts the Company and requests the destruction of his/her/its Personal Information;
  3. the Company is required or permitted by law, a code of conduct or a contract with the Data Subject to do so;
  4. the Company reasonably requires the Personal Information for lawful purposes related to the performance of its functions, activities or business objectives;
  5. the Company reasonably requires it for evidentiary purposes; or
  6. the Data Subject agrees to the Company retaining it for a specified further period.
  7. Once the Company is no longer authorized to retain any Personal Information, it will securely delete and/or destroy, or de-identify the Personal Information in terms of applicable laws and regulations.

#### **13. MAINTENANCE OF PERSONAL INFORMATION**

1. Where required by law, the Company will take all reasonable steps to ensure that Personal Information is accurate, complete, not misleading and up to date.
2. Any person or entity engaging with the Company is required to inform the Company if any of the Personal Information that it may have about him/her/it or about any entity or person on whose behalf the person or entity acts, is incorrect, incomplete, misleading or out of date, by notifying the Information Officer of the Company at the particulars set out at clause 3.2

#### **14. DIRECT MARKETING**

1. The Company processes Personal Information for the purpose of direct marketing by way of electronic communication. The Company will only send direct marketing materials if the Data Subject has specifically opted-in to receive these materials, or if the Data Subject is a client of the Company, and at all times in accordance with applicable laws.

2. Anyone may opt out of receiving direct marketing communication from the Company at any time by requesting it (in any manner, whether telephonically, electronically, in writing or in person) to stop providing any direct marketing communication to them.

#### **15. COMPLAINT PROCEDURE**

1. The Company has also established an internal complaint procedure to be followed where any party believes that the Company is not acting in compliance the Act or any other personal information protection laws, regulations, rules, directives or otherwise. In such instances, you are requested to complete and send the Complaint Form attached hereto as Annexure “A” or to address your concerns in writing to the Information Officer of the Company at the at the particulars set out at clause 3.2.

#### **16. CHANGES TO THIS PRIVACY POLICY**

This Policy may be amended and updated from time to time in the Company’s sole discretion, without notice, provided that if the Company does so, it will post the revised Policy on the Company website listed herein, and will take reasonably practicable steps to inform Data Subjects of the updated Policy. Accordingly, all Data Subjects are required to periodically check this Policy for changes. If a Data Subject continues to engage with the Company, provide products or services to the Company, or access or uses the Company website and/or products and services after amendments are made to this Policy, Data Subjects are deemed to have accepted the updated Policy.



**ANNEXURE A**  
**COMPLAINT FORM**

The Company is committed to safeguarding your privacy and the confidentiality of your Personal Information and are, at all times, bound by the provisions of the Protection of Personal Information Act, No.4 of 2013.

|                                                                 |                                            |
|-----------------------------------------------------------------|--------------------------------------------|
| <b>Please submit your complaint to the Information Officer:</b> |                                            |
| <b>Address to:</b>                                              | Information Officer at Madikela Game Lodge |
| <b>Email Address:</b>                                           | info@madikela.co.za                        |

|                                    |  |
|------------------------------------|--|
| <b>Particulars of Complainant:</b> |  |
| Full names:                        |  |
| Identity Number:                   |  |
| Postal Address:                    |  |
| Contact Number:                    |  |
| Email Address:                     |  |
| <b>Details of Complaint:</b>       |  |
|                                    |  |
|                                    |  |
|                                    |  |
|                                    |  |
| <b>Desired Outcome:</b>            |  |
|                                    |  |
|                                    |  |
|                                    |  |
|                                    |  |
| <b>Signature Page:</b>             |  |
| Signature:                         |  |
| Date:                              |  |

Nothing in this POPI Complaint Form and/or this Privacy Policy compiled in terms of the Protection of Personal Information Act, No. 4 of 2013 is intended to limit and/or derogate your rights to lodge a complaint with the Information Regulator of South Africa, situated at 33 Hoof Street Forum III, 3<sup>rd</sup> Floor, Braampark, Johannesburg. Email: [inforreg@justice.go.za](mailto:inforreg@justice.go.za).