

## **EXTERNAL PRIVACY POLICY**

## **INTRODUCTION**

Seagull Travel Tours (“Seagull”) is a travel agency with more than twenty years’ experience in arranging professional and affordable group tours, not only domestically, but to various destinations on the African continent and beyond.

As a result of the nature and scope of the services offered to you, the personal information that we store and process is of a sensitive nature, consisting primarily of personal information relating to identification numbers, passport details, medical information required for travelling (and where applicable, of children) which may well amount to special personal information. By and large, it is necessary for us to store and process such personal information in order to successfully provide our services to you and take part in various promotional activities, which may include photographic and/or video images and/or sound recordings in respect of you and/or your child.

## **PERSONAL INFORMATION THAT WE STORE**

The personal information that we store consists of, *inter alia*, the following:

1. Your and/or your child’s name;
2. Your and/or your child’s date of birth;
3. Your and/or your child’s nationality;
4. Your and/or your child’s physical address;
5. Your and/or your child’s medical history as may be required for travelling;
6. A copy of your and/or your child’s identity document and/or passport;
7. Your email address and contact details; and
8. Photographic and/or video images and/or sound recordings in respect of you and/or your child.

## **WHERE DO WE COLLECT THE (SPECIAL) PERSONAL INFORMATION AND WHEN WILL WE PROCESS IT?**

We will only process any personal information relating to you and/or the minor for lawful purposes, relating to our business, where:

1. You have consented to the processing of such personal information;

2. A court has made an order which has the effect that your personal information is to be processed;
3. The law permits such processing; and/or
4. It is necessary in order to protect or pursue your (and your child's), our and/or a third party's legitimate interest.

## **WHEN AND HOW WE WILL PROCESS THE PERSONAL INFORMATION OF CHILDREN**

In South Africa, a child is a person under the age of 18. We will process the personal information of children where it is permitted by law. We will only process the personal information of children if any of one of the following applies:

1. The parent or guardian, being a person with the ability to sign legal agreements, has consented to the processing;
2. The processing is necessary in accordance with a legal obligation; and
3. The personal information was made public by the child, with the consent of the guardian.

## **REASONS WHY WE NEED TO PROCESS PERSONAL INFORMATION**

Personal Information is processed in order to:

1. Manage business operations;
2. Comply with any legal obligations; and/or
3. Resolve any complaints.

## **SECURITY**

We take, and will continue to take, appropriate and the reasonable, technical, physical, and organisational measures, which are in line with the relevant data protection laws, which includes, but is not limited to:

1. Ensuring that our systems are secure by monitoring access and usage;
2. Storing all records securely;
3. Ensure that no personal information is passed on to any third party, without the necessary consent; and
4. Destroying and/or deleting records and personal information that bears no purpose for us to hold.

Although we understand that no data transmission over the internet or data storage system can be guaranteed to be completely secure, we will always strive to have the highest level of security

in order to ensure that your personal information as secure as possible. Although the risk of a security breach is low, in the event that you feel that the security of any personal information has been compromised, please immediately notify us at [elizabeth@seagulltoere.co.za](mailto:elizabeth@seagulltoere.co.za).

## **INTERNATIONAL TRANSFER OF PERSONAL INFORMATION**

In the event that we transfer personal information to third parties located across the globe, these countries may have different data protection legislation than we do. However, we will always strive to ensure that your data is protected in line with this policy, together with the POPI Act.

## **RETENTION OF PERSONAL INFORMATION**

As far as is reasonably possible, we will ensure that your personal information which we process is accurate, complete and reliable for its intended use, which will be a specific, explicitly defined and lawful purpose. We will only retain personal information for the period that is necessary in order to fulfil the purpose for which the information was obtained in the first place, and as is provided for in this Policy, unless we are required to keep the personal information for a longer period in terms of any applicable legislation. We will only keep your personal information for as long as:

1. We are required to keep it in terms of law;
2. An agreement that requires me to keep it;
3. Your consent allows me to keep the personal information;
4. We require it for statistical or research purposes, in which event we will de-identify the personal information, where necessary; and
5. It is necessary for a lawful business purpose.

## **YOUR DUTIES REGARDING THE PERSONAL INFORMATION WE HAVE ABOUT YOU AND/OR YOUR CHILD**

We request that you always ensure that the personal information that we hold is accurate and correct. This is to ensure that the personal information that we hold is complete, accurate, not misleading and updated.

## **YOUR RIGHTS REGARDING PERSONAL INFORMATION THAT WE HOLD IN RESPECT OF YOU AND/OR YOUR CHILD**

1. You have the right to request access to the personal information that we hold, which we will furnish you with, within a reasonable time. This includes the identities and categories of third parties who have or have had access to your personal information.
2. You are entitled to request us to delete any personal information that is misleading, inaccurate, irrelevant, excessive, out of date, incomplete, unlawfully obtained or, in the event that we are no longer authorised to keep such information. In such an event, kindly inform us of your request in writing. It follows that in the event that the law requires us to keep certain information, you will not be entitled to request for us to delete such information.
3. You may withdraw your consent for the processing of your personal information. However, when you have withdrawn your consent, we will not be able to provide you with our services any longer. In the event that the law permits us to process your personal information, we will do so, regardless of whether you have withdrawn your consent.
4. You can access your personal information, or request information in respect of the use of your personal information, by contacting the Information Officer at:  
[elizabeth@seagulltoere.co.za](mailto:elizabeth@seagulltoere.co.za).

## **COMPLAINTS PROCEDURE**

You have the right to complain in the event that any of your rights in terms of the POPI Act have been infringed. Due to the sensitive nature of the information that we store, and the fact that we may store special personal information, we view complaints in a serious light and will address all personal information/privacy related complaints in accordance with the following procedure:

1. Where the complaint has been received by any person other than the Information Officer and/or the Deputy Information Officer, that person shall ensure that full details of the complaint reach the Information Officer or Deputy Information Officer as soon as possible;
2. You will receive a written acknowledgement of receipt;

3. The Information Officer and/or the Deputy Information Officer will carefully consider the complaint and address the complainant's concerns in an amicable manner and in accordance with the principles of the POPI Act;
4. The Information Officer and/or the Deputy Information Officer must also determine whether the complaint relates to an error or breach of confidentiality that has occurred, and which may have a wider impact on the other data subjects enrolled in the Academy.
5. Where the Information Officer and/or the Deputy Information Officer have reason to believe that your personal information has been accessed or acquired by an unauthorised person, the Information Protection Committee must be consulted.

### **INFORMATION OFFICERS AND DEPUTY INFORMATION OFFICERS**

Information Officers and Deputy Information Officers at Seagull are appointed according to the legal and regulatory requirements and will fulfil their regulatory obligations to protect personal information held by Seagull. The Information Officer and deputies are responsible for encouraging compliance with the conditions for lawful processing of personal information, attending to requests and complaints made by data subjects in terms of the POPI Act and PAIA and assisting the regulator with any investigation relating to Seagull, the POPI Act and PAIA compliance.