



# UP.EdLearn

## Privacy Policy

This Privacy Policy is in accordance with the Protection of Personal Information Act (POPIA) and outlines how personal information is collected, processed, and protected. Terms capitalized in this clause have limited application to clause 15 and are defined in POPIA.

### **1. Compliance with POPIA**

1.1. The Parties shall fully comply with statutory obligations contained in POPIA when processing Personal Information obtained by a Responsible Party.

1.2. The Responsible Party ensures adherence to the conditions for lawful processing of Personal Information set out in POPIA when Processing a Data Subject's Personal Information.

### **2. Security and Information Protection**

2.1. The Parties shall comply with security and information protection obligations equivalent to those imposed by POPIA.

2.2. In the absence of such legislation, the Parties will implement necessary technical and organizational security measures to preserve the security and confidentiality of Personal Information.

### **3. Operator Agreement**

3.1. If a Party is an "Operator" under POPIA:

3.1.1. Process Personal Information with knowledge and authorization of the Responsible Party.

3.1.2. Treat Personal Information as confidential.

3.1.3. Not disclose Personal Information.

3.1.4. Establish and maintain security measures per section 19 of POPIA.

3.1.5. Notify the Responsible Party immediately of any unauthorized access to Personal Information.

### **4. Indemnification**

4.1. The Indemnifying Party indemnifies the other Party from liability arising from the failure to comply with statutory obligations in POPIA.

### **5. Personal Information Handling**

5.1. Each Party shall only provide, collect, use, store, or process Personal Information:

5.1.1. In compliance with POPIA.

5.1.2. As necessary for the purposes of this Agreement.

5.1.3. In accordance with lawful and reasonable instructions of the Party providing the Personal Information.

## 6. Consent to Processing

6.1. This Agreement constitutes written consent by the Parties to the Processing of Personal Information in terms of POPIA.

## Confidential Information

## 7. Treatment of Confidential Information

7.1. The Receiving Party shall treat and hold as confidential Confidential Information received from the Disclosing Party.

7.2. Confidential Information may only be disclosed to Personnel involved in executing obligations under this Agreement or to professional advisors on a "need to know" basis.

## 8. Termination or Expiry

8.1. Upon termination or expiry of this Agreement, the Receiving Party shall deliver or destroy all Confidential Information in its possession, excluding the terms and conditions of this Agreement.

## 9. Exceptions

9.1. The obligations do not apply to information lawfully in the public domain, becomes part of the public domain, or disclosed pursuant to a legal requirement.