

## PRIVACY POLICY

### GENERAL EXPLANATION

This website is property of TOUCHED BY NATURE TRAVEL, with registered offices located at Bonnie Braes Farm, R536, Kiepersol, Hazyview, South Africa and with company reg. no. 2021/140079/07 (hereafter to be called “Touched by nature”).

Touched by nature is engaged in the protection of your personal details and promotes the privacy of the users of its website, its customers, and its contacts. This means that every effort is made to protect your privacy as much as possible and to make sure you can provide us your personal details with ease of mind, without risk of misuse.

Touched by nature processes your personal details therefore according to Decree (EU) 2016/679 of the European Parliament and the Council of April 27 2016 regarding the protection of natural persons in relation to the processing of personal details and regarding the free movement of those details and to repealing Decree 95/46/EU (the General Data Protection Regulation, hereafter GDPR) and the Law of July 30 2018 regarding the protection of natural persons relating to the processing of personal details.

During your visit to our website, when we execute an order for you or when we communicate with you, it is possible you share personal information with us, so we are not only able to identify you as an individual (for example, your name and fist name, your email address, your home address, your fixed line number or mobile number, etc.) but can also answer your questions or provide services to you. These are the personal details discussed below. By using our website [www.touchedbynature.travel](http://www.touchedbynature.travel) and/or our services, you unconditionally accept this privacy statement as well as the general usage conditions.

### WHAT IS UNDERSTOOD TO BE “PROCESSING OF DATA” AND WHO IS RESPONSIBLE?

This means every kind of processing personal details. This concept contains the processes or set of processes relating to personal details or set of personal details, whether or not executed by automated processes, such as the collection, recording, structuring, storing, updating or modification, requesting, viewing, using, providing data by means of forwarding, distributing or making available in any other way or aligning, combining, protecting, deleting or destruction of data.

The processing of personal details takes places via this website and other ways in which Touched by nature might receive these details, such as email, correspondence, or registration forms.

Touched by nature is responsible for processing your personal details.

## OBJECTIVES AND LEGAL GROUNDS OF PROCESSING YOUR PERSONAL DETAILS

Personal details are processed based on article 6.1 GDPR.

Touched by nature processes your personal details for the following purposes:

- Taking measures to verify your (personal) details when registering your account on the website, as well as taking provisions to protect your personal details;
- Checking the capacity of the “business”;
- Proceeding with delivery and invoicing of the products/services offered on our website or in any other way;
- The verification of your or your company’s credit worthiness;
- The technical administration of our website, as well as the management of our customer administration.

Touched by nature also processes your personal details if this is necessary to maintain our justified interests or those of a third party, as is the case in the following purposes:

- The execution of fundamental rights, such as to bring an action, both by us as well as a third party;
- Providing up-to-date information regarding any offers or news, whether or not based on pseudonymized user profiles;
- Personal advice, such as the sending of newsletters, or by setting up pseudonymized user profiles, in which we personalize our offers based on your browsing behavior;
- Checking the capacity of “company”;
- Checking your or your company’s credit worthiness.
- Avoiding fraudulent use of our website
- Prospection and marketing.

By agreeing with this privacy statement, you are giving your permission to process your personal details for the following purposes:

- Contacting you with the purpose of answering your question or remark, both via email and by telephone;
- Providing up to date information regarding any offers or news, whether or not based on pseudonymized user profiles;
- Making statistics, after the personal details have been anonymized, regarding the number of visits to the various components of the website;
- Processing your application;
- To offer or execute our services;
- For all other purposes you have given permission for.

If Touched by nature attempts to process your personal details for a purpose which has not been provided for in this privacy statement, we will contact you via the provided email address to inform you about this new processing and the purpose thereof. Of course, you will have the option to refuse this processing.

The legal grounds on which Touched by nature processes your personal details, are the following:

- The permission you have given us to process your personal details;
- The necessity for the execution of an agreement in which you are a party;
- The necessity to meet a legal obligation we must fulfill;
- The necessity to protect your vital interests or those of another natural person

Please take into account that certain functionality of our website will not be available if you do not want to provide your personal details or refuse the use of certain cookies.

You always have the right to withdraw the permission you have given. This can be done by sending us a written or electronic request along with proof of your identity.

As mentioned in our cookie statement, you can always withdraw the permission you have given us to install non-functional cookies by clicking the button at the top of the cookie statement.

The withdrawal of your permission does not diminish the legality of the processing which has already taken place based on your permission before its withdrawal.

## **PROVIDING YOUR PERSONAL DETAILS**

### 1. The details you provide yourself

When you want to make use of a contact form, we ask you to provide personal details. At that moment, you are providing us personal details (your email address and your name, first name, address, telephone number, photo, depending on what you write in your email). These details are used to execute our contractual obligations to you and to provide the service to you, to answer your questions and for direct marketing purposes. These details are stored on the secure servers of Touched by nature or of (one of) its processor(s) (such as hosting company), which is also strictly bound to confidentiality regarding your personal details.

### 2. The details collected based on your use of the website

We collect details about the way you make use of our services and website. In this way, we are capable to adjust our services even better to your needs and interests. We also make use of cookies to collect data about the use of the services.

### 3. Details coming from third parties

In principle, Touched by nature does not obtain your personal details through third parties. We do not collect or use information for any other purposes than the purposes described in this privacy statement.

## **TRANSFERRING YOUR PERSONAL DETAILS TO THIRD PARTIES**

Touched by nature does not transfer any personal details to third parties except when this is necessary to realize the purposes agreed to. In that case, the personal details of the customer will be shared with other companies (of the Touched by nature group) within European Economic Area which are directly or indirectly connected to Touched by nature or any other partner of Touched by nature.

Touched by nature guarantees that these recipients will take sufficient technical and organizational measures to protect the personal details.

## **HOW LONG WILL THE PERSONAL DETAILS BE RETAINED?**

The GDPR does not impose a concrete retention term for personal details. The starting point is that personal details are not retained longer than necessary. What is necessary, depends on the concrete situation.

Touched by nature will not retain the personal details it processes any longer than necessary to realize the purposes stated in this privacy statement and for which the personal details were obtained.

The personal details you provide us within the framework of our contractual relation or when you ask us a question, will be retained for a term relevant to provide you services or answer questions, taking into account the contractual and/or legal obligations which we may have to retain these details. Every company, including Touched by nature, is, for example, legally obligated to retain certain documents for a certain period (for example, based on tax legislation, the Public Records Act, the personnel file, invoices, etc.)

## **WHAT ARE YOUR RIGHTS REGARDING YOUR PERSONAL DETAILS**

### **1. Right of access, improvement and deletion of details**

Your personal details are and remain your personal details. You will retain complete control. Therefore, we apply optimal transparency, adequacy, and legality towards you for the use thereof, in which you retain control of your personal details and what it is used for.

You have the right to request access to your personal details Touched by nature processes.

If this information turns out to be incorrect, you have the right to have this information adjusted.

You also have the principal right to have the personal details relating to you deleted. Such a deletion of personal details is not possible when the processing of your personal details is necessary or intended for the substantiation or defense for a legal claim.

Your request for deletion can also be refused if this is required in the general interest, for the protection of rights and liberties of others or by the exceptions stated in the law. These legal exceptions are summed up in article 17 GDPR:

- Processing is necessary to exert the right to freedom of speech and information;
- Processing is necessary to meet the legal processing obligation flowing from the Unierecht or member state legislation resting on the controller, or to fulfil a task of general interest or to execute the public authority which is granted to the controller;
- Processing is necessary for reasons of general interest with respect to public health;

- Processing is necessary for scientific or historic research or statistical purposes and insofar the right to deletion of details threatens to make the realization of the purposes of that processing impossible or seriously risk its fulfilment;
- Processing is necessary for setting up, executing or substantiation of a legal claim.

## 2. Limitation of the processing and objection

In certain cases, you have the right to have the processing of your personal details limited. This can be in cases where you would dispute the correctness of the personal details or if the processing is unlawful. In such a case, we will only store your personal details.

You have also the right to object against the processing of the relevant personal details based on article 6.1 (f) GDPR, including the profiling based on those provisions. Such an objection is not possible if processing of your personal details is necessary for execution of an agreement.

## 3. Transferability of personal details

You have the right to request a copy (in a structured, conventional and machine-readable form) of your personal details and have your personal details forwarded to another company.

## 4. Authorized decision making

You have the right to not be subjected to a decision based solely on automated processing if legal consequences are attached to this for you or when this affects you in a significant manner. This is not possible if this decision is based on your permission.

## **EXERCISING YOUR RIGHTS**

Exercising these rights is free of costs and can be done by sending a request per email to [info@touchedbynature.travel](mailto:info@touchedbynature.travel) or by mail to the address of the registered office at Bonnie Braes Farm, R536, Kiepersol, Hazyview, South Africa.

In this request you must include sufficient proof of evidence of your identity as well as including the required information for Touched by nature to be able to meet its obligations.

If you submit requests which are manifestly unfounded or excessive, Touched by nature reserves the right to charge a fair compensation or to refuse the request. In the latter case, we will inform you in writing.

## **COMPLAINTS**

If you are of the opinion that the processing of your personal details by us violates a breach of the provisions of the current privacy agreement or to the GDPR, you have the right to file a complaints with the national data protection authorities.

## **SAFETY**

Touched by nature has developed security measures which are adjusted in a technical and organizational aspect, to prevent the destruction, loss, counterfeiting, medication, non-authorized access or erroneous notification of third parties of your personal details collected on our website or in any other manner as well as every other non-authorized processing of your personal details.

In no circumstance can Touched by nature be held responsible for any direct or indirect damage flowing from erroneous or unlawful use of your personal details by a third party.

## **THE USE OF “COOKIES”**

This website, [www.touchedbynature.travel](http://www.touchedbynature.travel) makes use of cookies. In the overview below, we would like to inform you about the use of these cookies.

If you do not accept the relevant cookies, you have to take into account certain media will not be available.

### **1. What are cookies?**

During your visit to the site, ‘cookies’ can be placed on the hard drive of your computer. A cookie is a text file with pieces of technical information (internet settings) which is placed in the browser of your computer or mobile device by the server of the website when you access a website.

Cookies are also understood to include so-called ‘scripts’. A script is a programming code which is used to have the website function optimally and interactively.

‘Cookies’ are also understood to include ‘web beacons’, ‘pixel tags’ or ‘social media cookies’. These are used for the integration of various social network sites at [www.touchedbynature.travel](http://www.touchedbynature.travel). Embedded elements of third parties or with different word content stored with a third party can also be shown on our website.

Since cookies are personal details, the processing thereof is governed by our privacy statement. The processing of functional cookies is based on our justified interest, as the functional cookies are required for the proper functioning and security of [www.touchedbynature.travel](http://www.touchedbynature.travel). The other cookies will not be placed, unless [www.touchedbynature.travel](http://www.touchedbynature.travel) has received your permission to do so.

### **2. Types of cookies**

#### **A. Origin**

When you visit our website, you can make use of various types of cookies. ‘Third party cookies’ are cookies which have been placed directly on the website by [www.touchedbynature.travel](http://www.touchedbynature.travel). ‘Third party cookies’ are cookies placed on [www.touchedbynature.travel](http://www.touchedbynature.travel) by third parties, particularly because [www.touchedbynature.travel](http://www.touchedbynature.travel) incorporates elements of other websites.

#### **B. Duration**

‘Permanent cookies’ will be stored on your device for the lifetime of the cookie. They are activated each time you visit [www.touchedbynature.travel](http://www.touchedbynature.travel).

‘Session cookies’ simplify and link the actions of the user during the browser session. Each time you open the browser screen, these cookies are placed temporarily. Session cookies are removed when the browser is closed.

### **C. Function/purpose**

The 'functional cookies' are the cookies required to facilitate the functioning of the website and to provide a personalized experience.

The 'not-functional cookies' are used for statistical, social and commercial purposes and are separated from the technical support of [www.touchedbynature.travel](http://www.touchedbynature.travel) and do not meet the requirements to be exempt from the permission obligation. Your express permission is required to place these cookies.

The 'analytical cookies' provide us with the capability to chart the statistics of the website. By using Google Analytics, a web analysis service offered by Google Inc., such analytical cookies are placed on your computer to be able to analyze how the visitors use the website (which pages are most popular, which problems do users encounter on certain pages, etc.). The details collected for Google Analytics are stored on the servers of Google Inc. in the United States of America. By making use of this website, you give permission for the processing of the information by Google in the manner and for the purposes as described above.

'Performance cookies' can be used to measure the number of visitors of a certain web page or it can list the popular web pages. We can also determine how you arrived at our website. With this information, we improve our website and optimize the user experience.

### **D. Permission**

The information generated by the cookies about your use of the website can be transferred to Touched by nature's own secured servers or those of a data processor which is also strictly bound to confidentiality regarding your personal details. We use this information to track how you use the website, to draw up reports about website activity and offer other service relating to website activity and internet use. You can always refuse the use of cookies by selecting the relevant settings in your internet browser, but we point out that in that case, it is possible you will no longer be able to make use of all the functionality of our website.

### **E. Management of the cookies by the user**

Touched by nature uses cookies to store the preferences of the users of its website. Cookies are also used to allow the user to explore the website and to offer certain functions. Another use of cookies is to be able to guarantee the safe use of the website and to help optimize visiting the website by the users.

Web browsers offer the option of managing cookies. In this way, you can disable the use of cookies. It is also possible to remove cookies which have already been installed.

Via your internet browser, you can remove cookies automatically or manually and you can indicate whether certain cookies can be placed or not. You can also set up your internet browser in such a way you will receive a message when a cookie is being placed. More information about these options you can find in the instructions of the Help function of your browser.

The website [www.touchedbynature.travel](http://www.touchedbynature.travel) makes use of CookieYes, with which the visitor can always access the up to date necessary, functional, analytical, performance and commercial cookies by type and the lifetime by pressing the button 'preferences' in the cookie module.

CookieYes will scan the entire website on which this tool has been implemented every 24 hour and then performs the required adjustments so the most up to date information can be made available to the visitor. Touched by nature is not responsible or liable for the accuracy, completeness or usefulness of the information supplied by CookieYes.

## **AMENDMENTS**

This privacy statement is tailored to the use and the options of this website. Any adjustments and/or modifications of this website or other ways in which we collect and process data, could lead to amendments to this privacy statement.

Touched by nature can also be obliged to amend this privacy statement to new legislation and/or recommendations by the national data protection authorities or recommendations by the European Data Protection Authority.

## **APPLICABLE RIGHT AND COMPETENT COURTS**

If you are of the opinion that the processing of your relevant personal details violated the GDPR, you have the right to file a complaint with the supervisory authority, particularly in the member state you usually reside, have your work location or where the alleged violation has been committed.

## **QUESTIONS AND FEEDBACK**

We regularly check whether we comply with the applicable privacy legislation and this privacy policy. If you have questions, or require more information about this privacy policy, you can contact us: [info@touchedbynature.travel](mailto:info@touchedbynature.travel)– tel.: +27 76 981 7397