PRIVACY POLICY

1. Scope of policy

This privacy policy ("*Policy*") relates to the processing of all Personal Information (*see below*) received by BAYA AFRICA (Proprietary) Limited, irrespective whether such information is obtained through electronic or verbal communication, via websites or as a result of engagement in respect of any of our services.

Personal Information which we collect from you will be processed by BAYA AFRICA, a private limited liability company registered and incorporated in terms of the laws of the Republic of South Africa with registration number 2016/193016/07 whose registered office is at 23A Buckingham Avenue, Craighall Park, Johannesburg, RSA, 2196.

2. Introduction

As we place a high premium on the privacy of every person we recommend you read this Policy thoroughly so that you have a clear understanding as to (i) the type of Personal Information we may process (ii) how your Personal Information may be collected and processed when engaging with BAYA AFRICA (iii) who is responsible for the processing, management and safeguarding of collected and /or processed Personal Information; (iv) the grounds on which we may share the Personal Information with 3rd Parties; and (vi) how you can access, amend and/or delete Personal Information which we have collected from you.

By engaging with BAYA AFRICA via electronic mail, making use of our website (see below), or accessing and using our services you acknowledge that you have read this Policy and consent to the processing of your Personal Information as provided for herein below.
In the event that you do not wish to consent to the processing of your Personal Information, or no longer want us to continue processing your Personal Information in accordance with this Policy, you are kindly requested to indicate same by sending us an email to info@baya.africa

3. What is Personal Information

Personal Information includes any information which relates to and renders it possible, to identify you as an identifiable living human being and/or where applicable an identifiable juristic person, which may include (*without limitation*) your name, your physical and postal addresses, your email address, your race, your gender, your age, your national, ethnic or social origin, medical or financial information, your opinion, your Internet address (i.e. your Internet Protocol address), your location or special personal information such as your religious or philosophical beliefs, your political persuasion and / or your health ("*Personal Information*"/ "*Information*").

4. How do we process Personal Information?

Personal Information may be collected either through or by electronic means, which includes, without limitation, the use of our website (i.e.www.baya.africa including all other websites and / or landing pages), electronic mail , text, voice, sound or image messages, or through non-electronic means which includes, without limitation, the capturing of Personal Information on hard copy documents.

When using our websites your Personal Information may be collected either actively where you or your appointed agent provide us with certain Personal Information or inactively where we collect information from you that you have not actively provided. See below for a more detailed discussion.

a) Active Information Collection:

Active information collection refers to instances where you have directly provided us with Information, such as when you submit an enquiry in respect of a specific product or service, when you subscribe to our newsletter, or complete a questionnaire and provide us with your personal details which may include (without limitation) first name, last name, e-mail address, country of residence, as well as your preferred dates of travel.

b) Inactive Information Collection:

Inactive or passive Information collection refers to instances where we collect certain Information which you have not actively (i.e. knowingly) provided, which Information we may obtain through the use of certain technologies such as Cookies, Web Beacons, Embedded Scripts or Mobile Device identifiers when you visit our website. Information obtained in this regard cannot be linked to you as a person (i.e. non –personally identifiable information) which information may include the type of web browser you use, the operating system you use, the date and time of your visit to our websites, the specific pages you may have visited and the address of the website which you have visited prior to entering our website. BAYA AFRICA does not link non-personally identifiable information with personally identifiable information.

5. Type of information we process

We process the following information collected by means of electronic submission or physical forms (as may be applicable):

(i) Active Information:

- Your name and surname;
- Your gender, age group and weight;
- Physical address;
- Your e-mail address;
- Your telephone and mobile number;
- Your Identity and/or passport number;
- Your company details;
- Your passport nationality, issue date and expiry date;
- Your personal opinion, views, interests, and preferences;
- Your emergency contact details;
- Your medical requirements; and
- Your dietary and special requirements.

(ii) Inactive Information collection:

- the type of web browser you use;
- the operating system you use;
- the date and time of your visit to our websites;
- the specific pages you may have visited, and the address of the website.

We do not receive or process credit card information via our website and use recognised and respected Paygate portals to securely receive credit card payments only. We do not have access to any credit card information.

6. What do we do with your information?

Personal Information will only be used in accordance with this Policy or as specifically disclosed to you and/or brought to your attention at the time you provide the Personal Information.

The Personal Information will be processed by us (or third parties approved by us), pursuant to and for the following purposes:

- verifying your identity;
- transmitting and receiving correspondence in relation to our services or products, including the preparation of itineraries and submission of quotes;
- transmitting marketing material as specifically requested by you;
- processing payments, refunds and the like;
- facilitating delivery of the services or the products;
- to monitor and analyse your conduct in respect of the Websites and/or services for research and statistical purposes;
- for compliance and risk purposes;
- tailor make marketing and promotional material which we believe may be of relevance and interest to you;
- to personalise and enhance your online and guest experience;
- to recognise you as a repeat guest and to acknowledge your loyalty and preferences from past bookings as well as deal with any enquiries, correspondence, concerns, or complaints you have raised;
- to conduct market and / or academic research to identify potential markets and trends, to develop new products and services and to improve the nature of the products and/or services.

We may share your Personal Information with our third-party service providers in order and only to the extent necessary to render supporting and / or ancillary services or products to facilitate our service or product delivery to you, which service providers will be required to comply with / adhere to the same principles (as may be applicable) contained in this policy when processing your Personal Information.

We will not sell, transfer, share, or otherwise permit access to your Personal Information with any third parties other than as described in this Policy.

Please note that we reserve the right to transfer, or otherwise share without restriction aggregated, de-identified, and other non-personally identifiable information as contemplated in this Policy.

We further reserve the right to use or disclose your Personal Information to comply with applicable laws, regulations, legal processes, and law enforcement inquiries, as required by litigation, to take precautions against liability, and protect the security and integrity of our Website and the safety of its users.

7. Newsletter subscribers

Should you wish to subscribe to our newsletter, we will, from time to time, send you promotional emails about BAYA AFRICA's special offers or other information using the email address which you have provided.

Whilst we love to stay connected with our guests to share conservation victories, exciting products, and exceptional services, we do not contact our guests via email, short message service (sms) / text or similar electronic solutions for marketing purposes unless they have provided us with their consent to do so. Such engagement shall at all times be limited, be relevant and we trust be of interest to you as our guest.
Please note that you can unsubscribe from this list at any time should you wish to by emailing us your request at info@baya.africa

8. Third Party Policies

On our marketing material or website you may see references or links to websites that are owned and/or managed by third parties which third parties are unrelated to BAYA AFRICA ("*Third Party Websites*"), which Third Parties Websites are specifically excluded from this Policy.

These Third-Party Websites have separate and independent privacy policies applicable to their respective websites, services and or products and may follow different practices in the processing and securing of your Personal Information.

You are strongly advised to read the privacy policy of each Third-Party Website you engage with before providing your Personal Information as we cannot accept any liability should the Third-Party Website process your Personal Information in any unlawful manner.

We therefore make no warranties or representations and bear no responsibility or liability whatsoever regarding any services and / or products offered, promoted and / or advertised on Third Party Websites and / or services and / or products rendered by any third party which may have been accessed or used through or by means of our websites and/or their associated services.

9. Opting out

Please note that we do not wish to collect and / or process any Personal Information from you that you do not want to be so collected and/or processed.
Should you at any point in time decide that you do not (a) wish us to continue to process your Personal Information or (b) do not wish to receive any further information from us regarding our products and services, you are welcome to email us at info@baya.africa with your request where after, upon receipt of your written request we will endeavour to cease any processing of your Personal Information within 30 business days.

10. Information access

You will be given reasonable access to your Personal Information to correct errors or to delete any information which you may have provided. If you wish to correct or delete any of your Personal Information, please contact us by e-mail at info@baya.africa

To respond to your request or inquiry, we may require information to allow us to verify that you are the person authorised to view the Personal Information you are requesting access to as contemplated in this Policy. We reserve the right to, at our discretion, refuse to allow you access to certain information which, in our view, if provided to you, will compromise another person's privacy or will violate any applicable law, foreign law, regulation, or directive in respect of which we are obliged to observe and adhere to pursuant to processing Personal Information.

Subject to legal and other permissible considerations we will make every effort to honour your request within 30 business days or we will inform you if we require further information to fulfil the request.

11. Data security

The transmission of information via the internet is not completely secure and we cannot guarantee the security of data transmitted to our site; any transmission of Personal Information will be solely at your own risk.

We will take steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy. Whilst we have taken reasonable, technical, and organizational measures to secure the integrity and confidentiality of the Personal Information in our possession, in order to guard against the loss of, damage to or unauthorized destruction of Personal Information and unlawful access to or processing of Personal Information, we do not guarantee that

our security systems are 100% secure or error-free. Therefore, we do not guarantee the security or accuracy of the information (whether it be Personal Information or not) we collect from you and process in accordance with this Policy.

We restrict access to your Personal Information to our employees who have a legitimate operational reason for having access to such Personal Information. We endeavour to maintain physical, electronic, and procedural safeguards which, to the best of our belief, comply with the relevant laws and regulations so as to protect your Personal Information from any unauthorized access.

12. Limitation of Liability

We shall not be held responsible and by accepting the terms and conditions to which this Policy relates, you agree to indemnify us and hold us harmless for any security breaches which may potentially expose the Personal Information in our possession to unauthorised access and or the unlawful processing of such Personal Information by any third party.

13. Place when personal information will be kept

All Personal Information provided to us will be stored on our secure servers. We may store data at a destination outside of South Africa in which event we will only transfer your Personal Information to facilities or parties outside South Africa where such transfer is compliant with applicable data protection laws and regulations.

We will only transfer personal information to a 3rd party if their policies include provisions that are substantially similar to what is contained in this privacy policy.

14. Changes to this policy

Kindly take note that we reserve the right to change this Policy at any time and in our sole discretion. In the event that that Policy is changed the new policy will be made available on our Website.

15. Governing Law

The laws of South Africa will govern any dispute or claim arising out of or relating to electronically submitted Personal Information through the use of the Websites.

16. Feedback

We welcome comments about this Policy. If you have any questions about this Policy or any part of our service, you may contact us at info@baya.africa

17. Complaints

Should you believe that we have utilised your Personal Information contrary to applicable law, you undertake to first attempt to resolve any concerns with us. If you are not satisfied with such process, you have the right to lodge a complaint with the Information Regulator.