

1. INDEMNITY POLICY

The use of all equipment and **resort facilities** is at the user's risk. **The Resort**, including its staff, representatives, agents, and contractors, do not accept any responsibility or liability for any injuries, damages or illness resulting from the use thereof or the visit to **The Resort**.

The Resort, including its staff, representatives, agents and contractors, accept NO responsibility for any deaths, injuries or illness suffered due to any person, theft, loss or damage to any property, which was created in the **resort facilities** or created due to a visit to **resort facilities**, from which cause whatsoever and whether it is assumed to be due to an act of negligence or omission or any statement of **The Resort**, including its staff, representatives, agents and contractors, or due to the use of any **resort facility** or not, unless such a claim arises from the wilful misconduct of **The Resort**, including its staff, representatives, and agents, AND **The Resort** receives a written complaint or claim no later than seven (7) calendar days from the event. Failing such notice, the **guest** shall have no claim against **The Resort**.

Any quest signing the register, who is accompanied by other persons and/or receives any visitors hereby indemnifies **The Resort against any liability towards such a person or visitor in line with the clauses of this indemnity policy and undertake to convey this information to the relevant persons or visitors.**

Notwithstanding, anything to the contrary contained in these terms and conditions, **The Resort** shall under no circumstances whatsoever, be liable for any

indirect or consequential loss/es, however caused or suffered.

The Resort reserves the right to amend terms and conditions or tariffs without prior notice.

2. INFORMATION AND PRIVACY POLICY

This Information and Privacy Policy applies to any information, including personal and special personal information which you provide to **The Resort or which The Resort collects from public sources or third parties about you.**

The provisions of this Information and Privacy Policy are subject to mandatory provisions as set out by applicable laws.

The Resort collects and uses your personal information to engage in transactions with and deliver services to you. Our service may include contacting our guests and visitors.

The Resort respects consumers' rights to privacy and data protection. Accordingly, **The Resort** believes in protecting the personal information that we collect from you when you use our services at the resort premises and the website ("our website") <https://www.dibikiriversdal.co.za/> .

The Resort will take reasonable steps to only use or disclose your personal information in the manner stated in this policy.

Please do not submit any personal and/or special personal information to **The Resort** if you do not agree with or consent to any of the provisions of the Information and Privacy Policy. If you do not consent to the provisions of this policy **The Resort may not be able to render its services to you and members of your group.**

If you have suggestions, comments or questions about this Information and Privacy Policy please contact the Information Officer at:

Physical Address: 8 Truter Street, Riversdale
Postal Address: PO Box 1080 Hartenbos 6520
Tel: 028 713 2118 Cell: 068 213 2845
Email: info@dibikiriversdal.co.za

11.1 When information is collected

To enable **The Resort** to deliver its service to you, **The Resort** collects with your consent personal information from you and those in your group. We collect personal information when:

- You visit our website, our social media pages and/or resort premises;
- You contact us and provide us with personal information via our website, social media pages, email, our contact numbers or by visiting the resort premises; and
- You voluntarily disclose personal information to us.

11.2 How information is collected

Information is collected through various means and include but are not limited to:

- When you supply information, directly or indirectly, in person, through a representative, through our website, through a booking agent or platform, email and social media.
- When any third party or appointed representative or agent provides such information to **The Resort**.
- When you complete our forms and terms; and
- Cookies on our website (see below for a description of this).

A cookie is an alphanumeric identifier which we transfer to your hard drive through your web browser when you visit our website. It enables our own system to recognize you when you visit our website again and to improve our service to you.

Cookies may also be used to compile aggregate information about areas of our website that are visited most frequently.

This information can be used to enhance the content of our website and make your use of it easier.

We do not monitor which pages you looked at while visiting our website. You can disable our use of cookies by configuring your browser accordingly.

11.3 What information is collected

The personal and special personal information collected by **The Resort** may include but is not limited to:

- Names and surnames;
- Email addresses and contact numbers;
- Identity or passport details;
- Vehicle registration numbers;
- Physical address of residence;
- Transaction details that relates to **The Resort**;
- Records of correspondence, communication and enquiries from you or anyone acting on your behalf;
- Details of agreements you enter with **The Resort**;

- How you are using our services either at the resort premises or through the website.
- Your preferences or interests as they relate to our service.
- Any information required to obtain the required and relevant products or services from our suppliers and service providers;
- CCTV footage collected on the resort premises which include images and video of persons visiting the resort premises; and
- Any other information voluntarily disclosed to us.

The Resort will not intentionally or knowingly collect Personal Information directly from minors (anyone under the age of 18).

The Personal Information of minors will be collected through their legal guardian or parent only where products or services are obtained for the minors.

11.4 How information is used

The Resort and its authorised personnel, during the course of fulfilling their service duties, may use, process and store collected personal information for the following purposes:

- To establish and verify the identity of guests and visitors;
- To maintain and update our customer database.
- To provide and maintain our service to guests and visitors which includes the performance of contractual requirements.
- To contribute to the safety and security of the resort premises and persons within the resort premises, which include the detection, deterring and prevention of harmful, dangerous or criminal acts including acts of fraud;
- To contact you to provide you with information (including special offers and marketing), notices, alerts (including security or emergency alerts) or details and changes regarding our service.
- As part of our internal processes aimed at improving our service offering.
- Assessing and responding to requests, enquiries, suggestions and/or complaints.
- To respond to any incidents that constitute an emergency.
- For storage of personal information including online bookings.
- To comply with operational, auditing, record keeping and legal requirements including requirements specified in applicable laws.

- To comply lawful requests for information from entities or bodies with the required authority or authorisation.
- For research, data analysis of statistical purposes, where the information has been de-identified (meaning that the information can no longer be identified as yours); and
- Within reasonable limits, for any duties that **The Resort** must fulfil.

11.5 How long information is kept

The Resort will retain the collected **personal information** for as long as required and reasonable for contracting, providing our services to you, and fulfilling fiduciary responsibilities or statutory obligations.

11.6 Protection of information

The Resort takes reasonable steps to put in place and maintain processes including electronic procedures and systems to ensure accuracy and to prevent unauthorised access to your personal information with reference to accepted technological standards. Processes and procedures aim to prevent violation of the terms and conditions and service requirements.

11.7 Sharing of information

The Resort may share collected personal information with:

Third party affiliates and service providers required to render service to guests and visitors, for example, website hosting and development. These companies require access to your personal information to perform their functions and not for any other purposes. **The Resort** requires that any third-party affiliates and service providers honour and adhere to the Information and Privacy Policy of **The Resort**;

- Third party affiliates and service providers who may be appointed by **The Resort** to process information on its behalf.
- To transfer **The Resort's** customer database/s, including personal information contained therein, to any third party who acquires all or substantially all of the assets in our trust or our website service whether by sale, merger, acquisition or otherwise. We will disclose the transfer on the website. If you are concerned about

your personal information migrating to a new owner, you may request us to delete your personal information.

- Other holiday resorts, with your permission, if **The Resort** is unable to accommodate you during your reservation;
- Entities or service providers when the industry codes governing **The Resort** demand such.
- Entities or service providers in the aim to protect the business interests of **The Resort** including against legal liability.
- Local and/or foreign legal authorities, law enforcement agencies, governmental agencies and other regulatory or self-regulatory organizations in the aim to comply with:
 - Any court orders, laws, regulations, and legal requests and/or requirements.
 - Protect and defend our rights and property, or that of our clients, service providers and entities in our group.
 - Prevent fraud or abuse, misuse, or unauthorised use of our website.
 - If required to do so by any regulatory authorities in connection with any investigation of fraud, intellectual property infringements, or other activity that is illegal or may expose **The Resort** to legal liability.
 - Any requirement to protect or defend the interests, rights or property of **The Resort**, its staff and other guests and visitors or members of the general public; and
 - Investigations into any offences, crimes or wrongdoing and to assist with the apprehension of offenders where personal information, images and/or footage may be utilised as evidence in civil or criminal proceedings.
- Emergency workers and related service providers in response to an emergency or to protect the legitimate interest of any individual or the general public.

Where **The Resort** shares personal information with affiliates, other entities, or service providers, it has agreements in place to ensure compliance with confidentiality and privacy conditions.

The Resort reserves the right to share non-personal, non-individual information in aggregate form with third parties for business purposes, for example with advertisers on our website or business associates and partners. This does not involve disclosing any personal information which can identify any individual consumer in any way.

11.8 Links to other websites

Our website contains links to other websites. Please note that we are not responsible for the privacy practices of third-party websites or the manner in which they use cookies and advise you to read the privacy statements of each website you visit which collects personal information.

Kindly note that **The Resort** makes use of third-party online bookings programs and platforms. **The Resort** will not be liable for any information used, stored, entered, or shared with third-party online bookings programs and platforms while undertaking online bookings. **The Resort** encourages all users visiting our website to check third party privacy policies displayed on third party websites.

11.9 Access to, correction and deletion of your personal information

It is very important that the information that **The Resort** has about you and the members of your group is accurate and current. You may request that your information and/or the information of any member of your group held by **The Resort** **be updated or corrected.**

If you would like to receive confirmation whether **The Resort** holds information about you, **confirmation will be provided free of charge.**

If you would like to receive a copy of the information we hold relating to you (subject to our right to charge you a fee to cover our expenses in this regard) please submit a request in writing to **The Resort.**

You have a right in certain circumstances to request on reasonable grounds that **The Resort** **limit or restrict the processing of your information or the information of any member of your group.**

You have a right in certain circumstances to request on reasonable grounds that **The Resort** **delete or destroy the record or part of the record of information it has of you or any member of your group.**

If you no longer wish to receive our newsletter and promotional communications, you may 'opt-out' of receiving them by indicating to **The Resort** **in writing.**

11.10 Precautions

Your personal information is important to **The Resort**. Please take note that no method of electronic and internet transmission or storage is perfect or impenetrable. **The Resort** has implemented reasonable technical measures and processes to keep the personal information secure in compliance with relevant laws.

11.11 Amendments to this Information and Privacy Policy

The Resort may amend this policy from time to time.

Any such amendment will come into effect and become part of the contractual agreement that you may have with The Resort when notice is given to you of the changes by publication on The Resort's website.

11.12 Complaints

Should you believe that The Resort has utilised the personal and/or special personal information it has relating to you or any member of your group contrary to this Information and Privacy Policy or applicable laws, you undertake to first contact The Resort in the aim to resolve any concerns.

If you are still not satisfied, you have the right to lodge a complaint with the Information Regulator by contacting:

Tel: 010 023 5200 Fax: 086 500 3351

Email: inforeg@justice.gov

