



# PRIVACY POLICY

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### INTRODUCTION

Body Action Gym respects the right to privacy and confidentiality of our existing and potential members' personal information and are committed to protecting your privacy and to ensure that your personal information is collected and used properly, lawfully, and transparently.

This policy describes the types of personal information that we may collect about you, the purposes for which we use the information, the circumstances in which we may share the information and the steps that we take to safeguard the information to protect your privacy.

As used throughout this policy, the term "Body Action Gym", "us" or "we" refers to Body Action Gym and utilises a mobile application called MyWellness (also referred to as the "Service").

By engaging with us, you are accepting and consenting to the practices described in this privacy policy.

### BACKGROUND

The Protection of Personal Information Act, Act No. 4 of 2013 (POPIA), aims to protect the personal data of all persons (including juristic entities) and further outlines how institutions should safeguard, collect, process, store, share and manage this information.

POPIA describes personal information as information relating to an identifiable, living, natural person, and where it is applicable, and identifiable, existing juristic person. The person to whom personal information relates is referred to as the "data subject".

Any personal information provided to or gathered by Body Action Gym is controlled by Body Action Gym (the responsible party) whose registered office is at: Nicol Corner, 2 Nicol Road, Bedfordview, Gauteng, 2007.

### INFORMATION WE COLLECT

Body Action Gym collects and processes your personal information mainly to provide you with access to our gym facility, to help us improve your experience and for certain other purposes explained below. Examples of personal information include, but are not limited to:

- Your name and surname;
- Identity number, passport number and/or date of birth;
- Contact details;
- Physical address;
- Email address;
- Bank details and/or credit card details;
- Cookies and Usage Data.

We also create information that becomes part of the personal information we hold about you, such as your membership number and your usage of the club. We may also collect and create details on joint members and other family members, where applicable, including family members under the age of 18.

We also collect the following information:

- Special personal information:

Means information relating to your race or ethnic origin, health, or criminal behaviour.

Whilst we do not generally collect special personal information unless it is volunteered by you, we do specifically collect health information provided by you exclusively to serve you better and meet your particular needs.

By providing this information to us, you are consenting to Body Action Gym using it in the manner set out in this policy.

- Personal information about children:

We do not knowingly collect personal information from children (under 18 years of age) without the permission of their parent or guardian. As a parent or guardian, please do not allow your children to submit personal information without your permission.

- Contacting us via our website or otherwise

When you use the <https://www.bodyactiongym.co.za/> website (our "Site"), our Mywellness app (our "Service") or contact us by telephone, email or SMS, we collect, store and use certain personal information that you disclose to us.

- CCTV

We use CCTV in our gym facility for various health and security reasons. If you have any queries in relation to the use of CCTV operating in and around our gym facility, please contact us.

- Surveys

We may ask you to complete surveys for research purposes from time to time, although you do not have to respond to them.

- Usage Data

We may also collect information that our browser sends whenever you visit our service or when you access the service by or through a mobile device ("Usage Data"). This usage data may include information such as your computer's internet protocol address (e.g. IP address), browser type, browser version, the pages of our service that you visit, the time and date of your visit, the time spent on those pages, unique identifiers and other diagnostic data.

## USE OF PERSONAL INFORMATION

After obtaining consent, the personal information collected or held by Body Action Gym may be used, transferred, disclosed, or shared only for the purposes for which it was collected. In addition, where necessary your information may be retained for legal, statistical or user experience optimisation purposes, enabling us to provide you with an enhanced gym experience. This may include:

- To carry out our obligations arising from any contracts entered into between you and Body Action Gym and to provide you with the information, products and services that you request from us, such as to facilitate staff administration, administration of your membership, facilitate bookings of classes and appointments with our own or third-party service providers and other transactions;
- To provide you with information about other goods and services we offer that are similar to those that you have already purchased or enquired about, to process payments and maintain accounts and records, to prevent crime and aid in the prosecution of offenders, and to administer and maintain membership records;
- To improve our membership and customer services platform, prevent or detect fraud or abuses of our website and enable third parties to carry out technical, logistical or other functions on our behalf;
- To send you newsletters and promotions with regards to your membership with Body Action Gym, and to conduct online surveys or surveys by telephone, prize draws, competitions and other promotions via email or telephone;
- To collect your membership fees and any other payments that may be due to us from you;
- To process your job application if you apply for employment with Body Action Gym;
- To administer our site and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- To improve our site to ensure that content is presented in the most effective manner for you;
- To allow you to participate in interactive features of our service, when you choose to do so;
- To make suggestions and recommendations to you and other users of our site about goods or services that may interest you;

We continuously profile and assess our membership database in order to improve the service offering provided to members and/or to better align ourselves with business partners. As a result, we use your personal information to share it with existing and potential business partners and third parties in order to identify mutual commercial opportunities with such business partner or third party.

Information is shared on a confidential basis, and unless you have consented otherwise, under no circumstances is the business partner or third party entitled to make any communication to you, or make any further transmission of the information, as a result of the personal information we avail to them. Each transmission of the personal information differs but is specific to the particular information share exercise undertaken.

Other than as set out in this privacy policy we will not share your personal information with third parties for marketing or any other purposes without your consent unless we are required to do so by law. We operate an automatic opt-in policy which means that when you request information from us or make an enquiry, we add you to our database.

Records of personal information will be retained for the period necessary for achieving the purpose for which the information was collected. Please note you have the right to object to the processing of your personal information for example for purposes of direct marketing, unless consent was obtained from you.

## DISCLOSURE OF INFORMATION

We may disclose your personal information to our service providers who are involved in the delivery of products or services to you. We have agreements in place to ensure that they comply with the privacy requirements as required by POPIA.

## TRACKING AND COOKIES DATA

A "cookie" is a small amount of data that is sent to your browser from a web server and stored on your computer's hard drive. On Body Action Gym's website where you are prompted to log-in and able to customise your membership profile you will be required to accept cookies. Generally, we use cookies to:

- Remind us of who you are and to access your account information (stored on our computers) in order to deliver to you a better and more personalised service. This cookie is set when you register or "Sign In" and is modified when you "Sign Out" of our services.
- Estimate our audience size. Each browser accessing Body Action Gym is given a unique cookie which is then used to determine the extent of repeat usage, usage by a registered user versus by an unregistered user, and to help target messages, promotions and ads based on user interests and behaviour.
- Track your progress and number of entries in some of our promotions, sweepstakes and contests. When a Body Action Gym promotion uses cookies, the information written to the cookie indicates the members progress through the promotion, and may be used to track entries, submissions, and status in prize drawings.
- Measure certain traffic patterns, which areas of the Body Action Gym website you have visited, and your visiting patterns in the aggregate. We use this research to understand how our users' habits are similar or different from one another so that we can make each new experience on Body Action Gym's website a better one. We may use this information to better personalise the content, banners, and promotions that you and other users will see on our website.

## INFORMATION SECURITY

Body Action Gym is legally obliged to provide adequate protection for the personal information we hold in a proper manner and shall take appropriate security measure to prevent loss, damage of personal information, unauthorised access, disclosure, modification, or unauthorised destruction of the data. We will on an ongoing basis, continue to review our security controls and related processes to ensure that your personal information is at all times handled and stored in a safe and secure manner.

Our security policies and procedures cover:

- Physical security;
- Computer and network security;
- Access to personal information;



- Secure communications;
- Security in contracting out activities or functions;
- Retention and disposal of information;
- Acceptable usage of personal information;
- Governance and regulatory issues;
- Monitoring access and usage of private information;
- Investigating and reacting to security incidents.

When we contract with third parties, we impose appropriate security, privacy, and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

## **YOUR RIGHTS: ACCESS TO INFORMATION AND CORRECTION OF YOUR INFORMATION**

You have the right to request to review your personal information contained by Body Action Gym at any time to correct or update the information. If the purpose for which your personal information was requested initially does not exist anymore you may request information held by Body Action Gym to be removed. However, Body Action Gym can decline your request to delete the information from its records if (including but not limited to) other legislative or related requirements requires the continued retention thereof or if it has been de-identified.

In certain cases, you have the right to object to the processing of personal information. You have the right to ask us to update, correct or delete your personal information. We will take all the reasonable steps to confirm your identity before making changes to personal information we may hold about you.

Documents you can request from Body Action Gym with reference to your personal information:

- Personal Information Request
- Complaint Form
- Body Action Gym's POPIA policy and/or our Promotion to Access Information Act (PAIA) manual

## **CHANGES TO THIS NOTICE**

Please note that we may amend this policy from time to time at our sole discretion. Please view Body Action Gym's website periodically to inform yourself of any changes.

## **HOW TO CONTACT US**

Please direct any questions, complaints or concerns regarding this privacy policy and/or our treatment of your personal information to Body Action Gym's appointed Information Officer: [ezelda@bodyactiongym.co.za](mailto:ezelda@bodyactiongym.co.za)

Upon receiving your request, we will contact you directly, investigate your request, and work to address your concerns. We will respond to your request without undue delay. We reserve the right to take reasonable steps to verify your identity prior to granting access or processing changes or corrections.





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