

## PRIVACY POLICY

This policy applies to information held about clients and prospective clients, suppliers and prospective suppliers, artists, contacts and all other persons about whom **The Everard Read Gallery (Pty) Ltd** trading as **Everard Read / CIRCA Cape Town** holds information. By ‘information,’ we mean personal information about you that we collect, use, share and store.

In this policy, “we,” “us,” and “our” **The Everard Read Gallery Cape Town (Pty) Ltd** trading as **Everard Read / CIRCA Cape Town**, Company REG No 96/04344/07 and “you” means the individual to whom the information relates.

### What we collect

- your name;
- your contact information such as your address, email address and telephone number;
- if we need to refund you for any reason we collect your payment details / financial data i.e. your bank name, account number and sort code
- when browsing our website, standard activity log details including your IP address, your browser type and language
- information about you that you give us in person at our gallery or at an art fair by filling in our visitors’ book or on our site [www.everard-read-capetown.co.za](http://www.everard-read-capetown.co.za) (e.g. the “Contact us” section or to sign up to our mailing list) or by corresponding with us by phone, e-mail or otherwise; and
- information in relation to your purchase of our art work or use of our services.

### How we collect information about you

- we collect information you give to us when you purchase any art work or visit us at the gallery or an art fair and you provide us with your contact information;
- when you use our forms on our website

## What we do with the information we gather

We use your information to:

- provide information to you about upcoming exhibitions, our artists and their work
- keep you informed about art work, artists and events that we think you may find interesting;
- carry out our obligations arising from any agreements entered into between you and us;
- communicate with you
- comply with legal and regulatory obligations; and
- for security and to check your identity

## Legal basis for processing

Our processing of your personal information is necessary:

- for the performance of contracts to which you will be a party to and in order to take steps, at your request, prior to you entering into those contracts;
- for the purposes of legitimate interests pursued by us; or
- in order to comply with a legal obligation to which we are subject.

In relation to any processing of special categories of personal data, we will rely on obtaining specific consent from you at the time unless there is otherwise a legal requirement for us to process such information.

## Legitimate interests

Where our processing is based on the legitimate interest grounds described above, those legitimate interests are: (i) collecting personal information to provide you with a smooth and efficient client experience; (ii) to make sure you receive updated information on Everard Read / CIRCA Cape Town business activities; (iii) to provide the services you have requested.

## Sharing your information

Except as expressly set out in this policy, we will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so.

The personal information you provide to us may be shared with third party companies, agents, contractors, service providers or affiliated companies only if this is necessary to

provide you with our art work or services, respond to your inquiries or for any of the purposes described in this policy.

We may also share your personal information with:

- law enforcement agencies, other governmental agencies or third parties if we are required by law to do so; and
- other business entities should we merge with or be acquired by that business entity, or if we undergo a re-organisation with that entity.

## Transferring your information

Your personal information may be transferred to, and stored at, a destination outside South Africa or the European Economic Area ("EEA") and may also be processed by staff operating outside South Africa or the EEA who work for us, or for one of our service providers.

When we, or our permitted third parties, transfer your information outside South Africa or European Economic Area, we or they will impose obligations on the recipients of that data to protect your information to the standard required in South Africa or the European Economic Area or otherwise require the recipient to subscribe to international frameworks intended to enable secure data sharing. In the case of transfers by us, we may also transfer your information where: (i) the transfer is to a country deemed to provide adequate protection of your information by the Protection of Personal Information Act (South Africa) or the European Commission; or (ii) where you have consented to the transfer.

## Your rights

At any time, you have the right:

- to request access to or a copy of any personal data which we hold about you;
- to rectification of your personal data, if you consider that the information we are holding is inaccurate;
- to ask us to delete your personal data, if you consider that we do not have the right to hold it;
- to withdraw consent to our processing of your personal data (to the extent such processing is based on previously obtained consent);
- to ask us to stop or start sending you marketing messages as described below in the marketing section;

- to restrict processing of your personal data;
- to data portability (moving some of your personal data elsewhere) in certain circumstances;
- to object to your personal data being processed in certain circumstances; and
- to not be subject to a decision based on automated processing and to have safeguards put in place if you are being profiled based on your personal data.

Any request from you for access to or a copy of your personal data must be in writing and we will endeavour to respond within a reasonable period and in any event within one month in compliance with data protection legislation. We will comply with our legal obligations as regards your rights as a data subject.

We aim to ensure that the information we hold about you is accurate at all times. To assist us in ensuring that your information is up to date, please let us know if any of your personal details change at the following email address: [\*\*ctgallery@everard.co.za\*\*](mailto:ctgallery@everard.co.za)

## **Marketing**

Where you are one of our clients or have otherwise agreed to be contacted for marketing we may use your personal information to send you information about Everard Read / CIRCA Cape Town events, art fairs and works of art. You can unsubscribe from receiving them at any time. Details of how to unsubscribe are included on each electronic mailing we send you. You can unsubscribe by clicking in the *Unsubscribe* hyperlink which is included in every electronic mailing.

You also have the option of unsubscribing from our mailing list at any time thereby disabling any further such e-mail or other communication from being sent to you by emailing [\*\*ctgallery@everard.co.za\*\*](mailto:ctgallery@everard.co.za)

We will action any opt out request from you without delay.

## **How long will we keep your information?**

We will only keep the information we collect about you for as long as required for the purposes set out above or as required to comply with any legal obligations to which we are subject. This will involve us periodically reviewing our files to check that information is accurate, up-to-date and still required.

Where we are permitted to send you direct marketing communications we may retain your contact information necessary for this purpose, for as long as you do not unsubscribe from receiving the same from us. If you opt out from marketing, we will retain your information to enable us to respect your wishes to not be contacted for marketing purposes.

## **Security**

We are committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure, we have put in place physical, electronic and managerial procedures to safeguard and secure the information we collect online.

## **Links to Other Sites**

Our website may contain links to other sites, including via our social media buttons. While we try to link only to websites that share our high standards and respect for privacy, we are not responsible for the content, security, or privacy practices employed by other websites and a link does not constitute an endorsement of that website. Once you link to another website from our website you are subject to the terms and conditions of that website, including, but not limited to, its internet privacy policy and practices. Please check these policies before you submit any data to these websites.

## **Complaints**

Questions, comments and requests regarding this policy are welcomed and should be addressed to [ctgallery@everard.co.za](mailto:ctgallery@everard.co.za)

## **How we use cookies**

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added, and the cookie helps analyse web traffic or lets you know when you visit a particular site.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.

A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

## **Changes to this policy**

Any changes we make to our policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check our website to see any updates or changes to our policy.

## **Compliance with relevant legislation**

We shall ensure that at all times your data is obtained, processed, stored and utilized in a manner which is consistent with all relevant and applicable data protection laws, legislation and/or regulations (including the Protection of Personal Information Act, European Union Data Protection rules/ regulations and the Data Protection Act (2018) of the United Kingdom.

## **Severability**

All provisions in this policy are, notwithstanding the manner in which they have been put together or linked grammatically, severable from each other. Any provision of this policy which is or becomes unenforceable in any jurisdiction, whether due to voidness, invalidity, illegality, unlawfulness or for any other reason whatsoever, shall, in such jurisdiction only and only to the extent that it is so unenforceable, be treated as though it had not been written and the remaining provisions of this policy shall be of full force and effect.