

FoodGuru - Privacy Notice

Introduction

At FoodGuru we protect the personal information of all visitors who access or use the website www.foodguru.ai and www.foodguru.menu and any FoodGuru mobile application which facilitates the ordering, collection or delivery of food, beverage, or any other product or service ("Items") between consumers and Business Partners and offers other value-added functionality (together, "the Platform").

This privacy notice ("Privacy Notice") explains how FoodGuru, our subsidiaries, affiliates, licensees and service providers collect, share, and use your personal information. You'll also find information about how you can exercise your privacy rights.

By using our Platform you agree to FoodGuru using your personal information as described in this Privacy Notice.

The terms "we", "us" or "our" are each intended as reference to **HelloThing (Pty) Ltd**, as the operator and distributor of the Platform, and **XLink Communications (Pty) Ltd**, as the licensee authorised to deploy, use and exploit the Platform in South Africa. The term "you" refers to any person who accesses or uses the Platform, including Merchants, Delivery Partners, or such like who offers Items for sale through the use of the Platform (collectively "Business Partners"), as well as the consumer who orders Items ("Order") or utilises services offered via the Platform. Reference to "Order" shall include the acceptance of an order by a Merchant or acceptance of a trip by a Delivery Partner as the context may indicate.

1. Information we collect from you and why

Here are the broad categories of personal information that we may collect about you and the reasons why:

A. Information that you provide voluntarily:

Certain parts of our Platform may ask you to provide personal information voluntarily e.g:

- I. **Registration information:** When you create a FoodGuru account, sign-up or fill in forms on the Platform, we collect information about you including your name, address, telephone number, email address and the password you create.

This allows us to-

1. Create your account so you can utilise the Platform;
 2. Verify your identify and validate your right to access or use the Platform ;
 3. Identify you when you sign-in to your account or present yourself for a reservation or collect/deliver an Order (where relevant);
 4. Contact you for your views on the Platform or services offered by Business Partners or to send marketing and other communications to you; and
 5. Notify you of changes or updates to our Platform.
- II. **Transaction information:** We collect data created during the use of the Platform including location data, transaction information, usage data and communications data.

We require the Transaction Information in order to:

1. Process, deliver and bill your Order or process your request;
2. Communicate your Order to the Merchant and/or Business Partners who need to execute thereon;
3. Allow you to send special requests to the Merchant for example on allergies, or special delivery instructions;
4. Allow FoodGuru/Merchant/Business Partner to contact you in App, by email, phone or SMS to give you status updates or other information or to resolve problems with your account or the service;
5. Reply to your queries and questions and to resolve problems;
6. Analyse information on completed transactions and successfully delivered Orders on the basis of data matching or statistical analysis so that we can administer, support, improve and develop our business and Platform;
7. Protect you and the Platform by seeking to detect and prevent fraud or other acts in breach of our terms or policies relevant to the Platform.

FoodGuru do not store your credit card information in our systems, and you will be redirected to a duly authorised payment processor. Where you pay for your Order with a mobile payment or digital wallet service provider (such as Samsung Pay, Garmin Pay or other) we will send you transaction

information via confirmation emails or SMS to the email address or phone number registered with that service provider (since this is required by those providers).

III. We also collect-

- Information regarding your **marketing preferences**: We collect information about your preferences to receive marketing information any time you subscribe or unsubscribe, including whether you want to receive marketing message from third parties.
- Feedback: When you post messages and reviews of the Platform or you contact us, for example with a question, problem or comment, we collect information about you including your name and the content of your query. If you contact our customer support teams we will record and keep a record of your conversation for quality and training purposes and to aid in the resolution of your queries. We will publish reviews that you send to us about the Business Partners on the Platform in general and we also analyse your feedback to improve and develop our Platform and in order to enhance your experience.

This allows us to-

1. Reply to your questions or queries;
 2. Publish reviews you submit to us about our Business Partners and Platform; and
 3. Conduct analysis and research to improve and develop our Platform.
- **Sensitive Information**: We collect information that you provide when you contact us via the App. We do not accept sensitive personal information, such as health-related information (allergies or dietary requirements) or information about your religion (such as if you only eat halal food), and we ask that you share this information with the Merchant only. However, there are some situations where it may be required by law or you may nonetheless provide this type of information, for example if you make a complaint and in those circumstances, we will only be collecting it with your consent.

B. Information that we collect automatically

When you access our Platform, we may collect certain information automatically from your device. For instance:

- I. **Activity information:** We collect information about your usage of the Platform and information about you from the content you create and the notifications or messages you post or send as well as what you search for, look at and engage with.

We collect Activity Information so that we can:

1. Provide you with an improved experience by analysing your buying habits and how you interact with the Platform FoodGuru may use this information to suggest food options from new Merchants we think you would like to try, and we or a Merchant may use it to send you promotions or offer a personalised experience based on your preferences;
2. Give you access to your Order history and preferences; and
3. Provide other Platform at your request.

- II. **Cookies and similar technologies:** We use cookies and similar tracking technology to collect and use personal information about you (e.g. your Internet Protocol (IP) address, your device ID, your browser type and when, how often and how long you interact with the Platform), including to facilitate interest-based advertising.

This allows us to-

1. Measure and analyse the use and effectiveness of our Platform;
2. Customise and optimise the targeting of advertising for our Platform across other websites and platforms; and
3. Provide location Platform unless you choose not to share your geo-location.

C. Information that we obtain from third party sources.

From time to time, we may receive personal information from third party sources, including advertising networks and social media platforms like Facebook, but only where we have checked that these third parties either have your consent to process the information or are otherwise legally permitted or required to share your personal information with us.

This may include **Analytics reports and market research surveys:**

- We collect information from our third party affiliates about the way you respond to and engage with our marketing campaigns so that we can customise our marketing and Platform accordingly.
- We may also receive aggregated information in the form of audience segments from third party sources in order to display targeted advertising on digital properties operated by organisations like Facebook and Google.

2. Who we share personal information with

We may share your personal information with the following recipients (and whenever we do, we will ensure that we have appropriate security and contractual safeguards in place to protect it):

- a) Merchants and Business Partners that you have placed an Order with so that they can process, deliver, support and market their service, to you.
- b) Third party service providers, who provide a service to you and/or the Merchant facilitated through the FoodGuru platform such as payment processing providers which process payment card transactions, delivery companies who deliver your Order to you either as FoodGuru driver partners or Merchant driver partners etc.
- c) Third parties who undertake various activities to promote, market or support our Platform under contract with us. This includes social media platforms like Facebook, customer support agents, Platform and application support and hosting providers, marketing service providers, companies like Tookan and Yelo who send you text messages when your Order is on its way, market research companies - any of these third parties might be inside or outside your country of residence.
- d) Licensees and FoodGuru companies within our group (which means our subsidiaries and affiliates, our ultimate holding company and its subsidiaries and affiliates as well as licensees and its subsidiaries and affiliates, either now or at any time in the future) - these companies act for us and process your personal information for the purposes set out in this Privacy Notice.
- e) If any part of our business enters into a joint venture, purchases another business or is sold to or merged with another business entity, your information may be disclosed or transferred to the target company, or new business partners or owners or their agents and advisors. In these circumstances we will always inform the relevant entities that they must only use your personal information for the purposes disclosed in this Privacy Notice.
- f) Any law enforcement or regulatory body, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person.
- g) Any other person provided that you have given your consent to the disclosure. We will not sell, distribute or lease your personal information other than as set out in this Privacy Notice, unless we have your permission or are required by law to do so.

3. Legal basis for processing personal information

FoodGuru will always make sure we have a legal basis to collect and use your personal information. The legal basis we rely on will change depending on the type of information and the context in which we collect it.

Our main reason for collecting and using your personal information is to perform our and the Merchant's obligations towards you (i.e. to make sure you get to use the Platform and receive the service at the level expected e.g. get your Order when and where you want it, make booking a table accessible, making engagement with the Merchant easy and instantaneous, provide access to the market place etc.), but we may also process it where it is in our legitimate business interests to do so.

4. International data transfers

We may transfer your personal information to countries outside the one in which you are resident to other countries where FoodGuru or our service providers have operations. The data protection laws of these countries may differ from the laws of your country but FoodGuru takes care to implement appropriate safeguards to protect your personal information in those countries in accordance with this Privacy Notice.

5. Security

We place great importance on keeping your personal information safe and secure. As such, we put in place appropriate technical and organisational measures / industry standard technology to protect it from unauthorised access and unlawful processing, accidental loss, destruction and damage.

The security measures we use are designed to provide a level of protection security appropriate to the risk of processing your personal information. Where you have chosen a password which allows you to access certain parts of the Platform, you are responsible for keeping this password confidential. We advise you not to share your password with anyone and to use a unique password for our Platform. You will be liable for all transactions processed using your account. We will not be liable for any unauthorised transactions entered into using your name and password.

6. Data retention

FoodGuru will retain your personal information for no longer than is necessary to fulfil the purposes described in this Privacy Notice, and where we have an ongoing legitimate business need to do so (for example, while you hold an account with us or to enable us to meet our legal, tax or accounting obligations). We may also retain certain elements of your personal information for a period after you delete or deactivate your account for our legitimate operations such as record keeping and to comply with our legal obligations. Whenever we retain your information we will do so in compliance with applicable laws.

If you object to us processing certain categories of your personal information (including in relation to receiving marketing communications from us or any third party including a Business Partner), we will retain a record of your objection to the processing of your information so that we can continue to respect your wishes. Should you chose to do so, you acknowledge that your use and enjoyment of the Platform may be impacted by your decision to restrict such processing.

We will destroy or permanently anonymise your personal information at the point that we no longer need to process it for our ongoing legitimate business needs or for any legal reason. If this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store it and isolate it from any further processing until deletion is possible.

7. Your data protection rights

You can access your account at any time to review and update your personal information. You can also contact us to ask us to delete your personal information or restrict its processing, but you acknowledge that your use and enjoyment of the Platform may be impacted by your decision to do so. You also have the right to unsubscribe from the marketing communications we send you by using the unsubscribe functionality in any marketing communication you receive from us or by amending your profile accordingly.

8. Links to third-party sites

Our Platform may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates or to any number of websites that may offer useful information to our visitors. We provide these links to you only as a convenience and the inclusion of any link does not imply endorsement of the relevant Platform by FoodGuru. If you follow a link to any of these websites, please note that they have their own privacy policies and that we do not accept any responsibility or liability for these policies or

those linked websites. Please check these policies before you submit any personal information to such websites.

9. Updates to this Privacy Notice

We may update this Privacy Notice from time to time in response to changing legal, technical or business developments. When we update our Privacy Notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make. We will obtain your consent to any material Privacy Notice changes if and where this is required by applicable data protection laws. We encourage you to periodically review this page for the latest information on our privacy practices.

10. How to contact us

If you have any questions or concerns about this Privacy Notice and FoodGuru's privacy practices, please contact us on support@foodguru.ai