

The following statement is in terms of the Protection of Personal Information Act, 2013 (“POPI”) and is intended to govern your interactions and business dealings with Layer 4 (PTY) LTD T/A Hyper Layer

Please note that in this statement, “Third Parties” include, but are not limited to; Operators, shareholders, subsidiaries, affiliated companies or joint ventures, suppliers and parties providing products, goods, equipment, systems and services, such as information technology.

“Personal Information” means any information or set of information that identifies a person and is processed by or on behalf of Hyper Layer, as described in Chapter 1, section 1 of POPIA.

Processing of Customer Personal Information

Hyper Layer may only process customer Personal Information on its systems, per POPIA, insofar as it is given consent by customers; is necessary to act on the conclusion or performance of a contract to which the customer is a party; as part of an obligation imposed by law on Hyper Layer; protects a legitimate interest of a customer; is necessary for pursuing the legitimate interests of Hyper Layer or a Third Party to whom information is supplied.

Distribution of Personal Information to Third Parties

Hyper Layer may provide access or transfer Personal Information to Third Parties where it is necessary for the course of and to give effect to Hyper Layer’s business activities with its customers, by that expressed above viz-a-viz its terms and conditions, or as otherwise required by law.

Hyper Layer undertakes to take reasonably practicable steps to ensure that customer Personal Information that may be transferred to Third Parties is dealt with confidentially and under applicable legal requirements by those Third Parties.

Hyper Layer shall only transfer Personal Information to Third Parties in other jurisdictions where such Third Parties are subject to and comply with such laws, policies or agreements regarding privacy, data protection and confidentiality of Personal Information as may legally be required from time to time.

Hyper Layer may disclose customers’ Personal Information to any Third Party service providers whose services or products customers elect to use provided that it has obtained the necessary consent, or it is in terms of the conclusion and/or performance of the contract between Hyper Layer and the customer, or there is another justification to the disclosure and processing. Hyper Layer will have agreements in place to ensure that they comply with confidentiality and privacy conditions.

Hyper Layer aims to have undertakings in place with relevant Third Parties to ensure there is a mutual understanding concerning the protection of Personal Information, such Third Parties will be required to comply with the same or substantially similar regulations as Hyper Layer is subjected to.

Receiving Personal Information as a Third Party

During conducting its business as a hosting service provider, Hyper Layer will collect Third Parties’ Personal Information from time to time. Hyper Layer will Process the Personal Information received from customers on behalf of the customer’s data subjects in conjunction with its terms and conditions and with respect to legislative requirements.

Hyper Layer will accordingly ensure that in Processing or storing (as a hosting service provider) a

Third Party's Personal Information, will adhere to its obligations in terms of POPIA.

In the capacity of a Third Party, Hyper Layer will comply with all of its obligations as provided for in POPI.

For more information, please see our [Terms of service](#) on our website at [Terms of service](#) or contact our Information Officer for more details.

Details of Information Officer: Adam Gliori

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This POPIA statement was sourced from [Host Africa](#)