



Website terms-of-use and privacy policy

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Introduction

By accessing this Website, you agree to be bound by this Terms-of-Use and Privacy Policy.

We may modify this Terms-of-Use and Privacy Policy at any time at our sole discretion, and such modifications shall be effective immediately upon posting.

Please check this Terms-of-Use and Privacy Policy periodically for modifications.

Should you not agree to the conditions, Terms-of-Use and Privacy Policy, please do not access this Website, or any pages thereof.

Copyright in the pages and in the screens displaying the pages, and in the information and material therein and in their arrangement, is owned by the Energy Council of South Africa unless otherwise indicated.

This Terms-of-Use and Privacy Policy is for the benefit of the Energy Council of South Africa, its directors, officers, employees, members, suppliers, customers, subscribers, agents, third party content providers to this Website, and the public.

Each of these individuals or entities shall have the right to assert and enforce these provisions directly against You on its own behalf.

The information published on this Website is intended for informational purposes only and is not intended for the purpose of soliciting investment in, or as a recommendation to purchase or sell any specific products.

Users of the information shall bear the liability of whether to trust the contents provided through the information and whether to conduct transactions.

The Energy Council of South Africa shall under no circumstances accept liability for any losses or damages claimed by third parties to have been caused, whether directly or indirectly, by use of information provided.

Interpretation and definitions

For the purposes of this Privacy Policy:

- **Account** means a unique account created for You to access Our Service or parts of Our Service.
- **Company** (referred to as either "the Company", "We", "Us" or "Our" in this Agreement) refers to the Energy Council of South Africa.
- **Cookies** are small files that are placed on your computer, mobile device, or any other device by a website, containing the details of your browsing history on that website among its many uses.
- **Country** refers to South Africa.
- **Device** means any device that can access the Service such as a computer, a cell phone, or a digital tablet.
- **Personal Data** is any information that relates to an identified or identifiable individual or organisation.
- **Service** refers to the Website.
- **Service Provider** means any natural or legal person who processes the data on behalf of the Company. It refers to third-party companies or individuals employed by the Company to facilitate the Service, to provide the Service on behalf of the Company, to perform services related to the Service or to assist the Company in analysing how the Service is used.
- **Usage Data** refers to data collected automatically, either generated using the Service or from the Service infrastructure itself (for example, the duration of a page visit).
- **Website** refers to the Energy Council of South Africa website, accessible from <https://www.energycouncil.org.za>
- **You** means the individual accessing or using the Service, or the Company, or other legal entity on behalf of which such individual is accessing or using the Service, as applicable.

General

This Terms-of-Use and Privacy Policy describes Our policies and procedures on the collection, use and disclosure of your information when You use this website, and tells You about your privacy rights and how the law protects You.

We use your personal data to provide and improve the Website. By using the Website, You agree to the collection and use of information in accordance with this Privacy Policy.

Types of Personal Data collected

While using Our Service and Website, We may ask You to provide Us with certain personally identifiable information that can be used to contact or identify You.

Personally identifiable information may include, but is not limited to:

- First name and last name
- Company, organisation, or affiliation
- Email address
- Phone number
- Address, Postal code, City, Province, Country
- Usage Data
- Subscription preferences

Usage Data

Usage Data is collected automatically when using the Service.

Usage Data may include information such as your Device's Internet Protocol address (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 device identifiers and other diagnostic data.

When You access the Service by or through a mobile Device, we may collect certain information automatically, including, but not limited to, the type of mobile Device You use, your mobile Device unique ID, the IP address of your mobile Device, your mobile operating system, the type of mobile Internet browser You use, unique device identifiers and other diagnostic data.

We may also collect information that your browser sends whenever You visit our Service or when You access the Service by or through a mobile Device.

Tracking technologies and Cookies

We use Cookies on our Website to give you the most relevant experience by remembering your preferences and repeat visits. By clicking "Accept All", you consent to the use of all the Cookies. However, you may visit "Cookie settings" to provide a controlled consent.

The use of Cookies improves your experience while You navigate through the Website. Cookies that are categorised as necessary are stored on your browser as they are essential for the working of basic functionalities of the Website.

We also use third-party Cookies that help us analyse and understand how you use this Website. These Cookies will be stored in your browser only with your consent. You also have the option to opt-out of these cookies. However, opting out of some of these Cookies may affect your browsing experience.

Use of Your Personal Data

The Company may use Personal Data for the following purposes:

To provide and maintain our Service, including to monitor the usage of our Service.

To manage your Account and to manage your registration as a user of the Service: The Personal Data You provide can give You access to different functionalities of the Service that are available to You as a registered user.

For the performance of a contract: The development, compliance and undertaking of the purchase contract for the products, items or services You have purchased or of any other contract with Us through the Service.

To contact You: To contact You by email, telephone, cell phone, SMS, or other equivalent forms of electronic communication, such as a mobile application's push notifications regarding updates or informative communications related to the functionalities, products, or contracted services, including the security updates, when necessary or reasonable for their implementation.

To manage your requests: To attend to and manage your requests to Us.

For business transfers: We may use your information to evaluate or conduct a merger, divestiture, restructuring, reorganisation, dissolution or other sale or transfer of some or all Our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Data held by Us about our Service users is among the assets transferred.

For other purposes: We may use your information for other purposes, such as data analysis, identifying usage trends, determining the effectiveness of our promotional campaigns and to evaluate and improve our Service, products, marketing, and your experience.

We may share your personal information in the following situations:

With Service Providers: We may share your personal information with Service Providers to monitor and analyse the use of our Service, to contact You.

For business transfers: We may share or transfer your personal information in connection with, or during negotiations of, any merger, sale of Company assets, financing or acquisition of all or a portion of Our business to another company.

With affiliates: We may share your information with Our affiliates, in which case we will require those affiliates to honour this Privacy Policy. Affiliates include Our parent company and any other subsidiaries, joint venture partners or other companies that We control or that are under common control with Us.

With Your consent: We may disclose your personal information for any other purpose with your consent.

Retention of your Personal Data

The Company will retain your Personal Data only for as long as is necessary for the purposes set out in this Privacy Policy. We will retain and use your Personal Data to the extent necessary to comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes and enforce our legal agreements and policies.

The Company will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period, except when this data is used to strengthen the security or to improve the functionality of Our Service, or We are legally obligated to retain this data for longer time periods.

Transfer of your Personal Data

Your information, including Personal Data, is processed at the Company's operating offices and in any other places where the parties involved in the processing are located.

It means that this information may be transferred to – and maintained on – computers located outside of your province, country, or other governmental jurisdiction where the data protection laws may differ than those from your jurisdiction.

Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer.

The Company will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy, and no transfer of your Personal Data will take place to an organisation or a country unless there are adequate controls in place including the security of your data and other personal information.

Disclosure of your Personal Data

Business Transactions: If the Company is involved in a merger, acquisition or asset sale, your Personal Data may be transferred. We will provide notice before your Personal Data is transferred and becomes subject to a different Privacy Policy.

Law enforcement: Under certain circumstances, the Company may be required to disclose your Personal Data if required to do so by law or in response to valid requests by public authorities (e.g., a court or a government agency).

Other legal requirements: The Company may disclose your Personal Data in the good faith belief that such action is necessary to:

- Comply with a legal obligation.
- Protect and defend the rights or property of the Company.
- Prevent or investigate possible wrongdoing in connection with the Service.
- Protect the personal safety of Users of the Service or the public.
- Protect against legal liability.

Security of your Personal Data

The security of your Personal Data is important to Us, but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure.

While We strive to use commercially acceptable means to protect your Personal Data, we cannot guarantee its absolute security.

Detailed information on the processing of your personal data

We may use third-party Service providers to monitor and analyse the use of our Service. The Service Providers We use may have access to your Personal Data. These third-party vendors collect, store, use, process, and transfer information about your activity on Our Service in accordance with their privacy policies.

Website analytics

Google Analytics is a web analytics service that tracks and reports traffic on Our Website. Google uses the data collected to track and monitor the use of our Service. This data is shared with other Google services. Google may use the collected data to contextualise and personalise the ads of its own advertising network.

You can opt-out of having made your activity on the Service available to Google Analytics by installing the Google Analytics opt-out browser add-on. The add-on prevents the Google Analytics JavaScript (ga.js, analytics.js and dc.js) from sharing information with Google Analytics about visits activity.

For more information on the privacy practices of Google, please visit the Google Privacy and Terms web page: <https://policies.google.com/privacy>

Email newsletters

We may use your Personal Data to contact You with email newsletters, announcements and other information that may be of relevance and interest to You.

You may opt-out of receiving any, or all, of these communications from Us by following the unsubscribe link or instructions provided in any email We send, or by contacting Us.

We use Everlytic, a bulk email newsletter Service Provider to manage and send Our email newsletters, announcements, and other information from the Energy Council of South Africa.

For more information on the privacy practices of Everlytic, please visit their privacy policy web page: <https://www.everlytic.com/privacy-policy/>

Children's privacy

Our Service does not address anyone under the age of 13. We do not knowingly collect personally identifiable information from anyone under the age of 13.

If You are a parent or guardian and You are aware that your child has provided Us with Personal Data, please contact Us. If We become aware that We have collected Personal Data from anyone under the age of 13 without verification of parental consent, we take steps to remove that information from Our servers.

If We need to rely on consent as a legal basis for processing Your information and Your country requires consent from a parent, we may require Your parent's consent before We collect and use that information.

Hyperlinks to third party websites

Our Service may contain hyperlinks to other websites that are not operated by Us. If You click on a third-party link, You will be directed to that third party's website. We strongly advise You to review the Privacy Policy of every website You visit.

We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party websites or services.

Hyperlinks from third party websites

The Energy Council of South Africa reserves all rights to disable any links to, or frames of any website containing content that are in the sole discretion of the Energy Council of South Africa that contains inappropriate, profane, defamatory, infringing, obscene, indecent, or unlawful content, topics, names, material, or information, or that that violates any law, or any intellectual property, proprietary, privacy or publicity rights.

Access to information

The Promotion of Access to Information Act 2 of 2000 (PAIA) gives effect to Section 32 of the Constitution of the Republic of South Africa, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required for the exercise and protection of rights.

More broadly, PAIA aims to underline the importance of access to information in a democratic society by fostering a culture of transparency and accountability. PAIA does this by requiring public (government) and private (non-government) bodies to create both a manual describing the type of records they hold, and procedures for others to access that information. PAIA also sets limits on the types of information that can be accessed in that information requested might not be granted under various circumstances.

The Energy Council has compiled a PAIA Manual in accordance with Section 14 of PAIA, which provides an outline of the Energy Council of South Africa's information which is accessible to the public. This includes:

- The structure, functions, and objectives of the Energy Council.
- Contact details for the Energy Council.
- The procedure for requesting information from the Energy Council.
- Information that is automatically available through the Energy Council and its website.

The Energy Council of South Africa PAIA Manual is [available here](#).

Changes to our Terms-of-Use and Privacy Policy

We may update Our Terms-of-Use and Privacy Policy from time to time. We will notify You of any changes by posting the new Terms-of-Use and Privacy Policy on this Website.

We will let You know via email and/or a prominent notice on Our Website, prior to the change becoming effective and update the "Last updated" date at the top of this Terms-of-Use and Privacy Policy.

You are advised to review this Terms-of-Use and Privacy Policy periodically for any changes. Changes to this Terms-of-Use and Privacy Policy are effective when they are posted on Our Website.

No warranty

The information and materials contained in this Website, including text, graphics, links or other items, are provided "as is" and "as available". No warranties of any kind, implied, express, or statutory, including but not limited to the warranties of non-infringement of third-party rights, title,

merchantability, fitness for a particular purpose and freedom from computer virus, are given in conjunction with the information and materials.

Trademarks

Your access to or use of this Website should not be construed as granting, by implication or otherwise, any license or right to use the trademarks, trade names, logos or service marks appearing on this website without prior written consent from the Energy Council of South Africa.

Submission

All information submitted via this Website shall be deemed and remain the property of the Energy Council of South Africa, who shall be free to use, for any purpose, the details contained in information a visitor to this Website provides through this Website.

The Energy Council of South Africa shall not be subject to any obligations of confidentiality or privacy regarding submitted information except as specifically agreed to, specifically covered in this Terms-of-Use and Privacy Policy, and/or required by law.

Bogus email scams

Any communications that indicate that the sender of the e-mail has control over a substantial sum of money in the Energy Council of South Africa bank accounts, and asks the recipient for personal banking information, is a bogus email scam. We do not and will never send out unsolicited emails asking for money or personal details.

Indemnity

You agree to indemnify, defend and hold harmless the Energy Council of South Africa, its directors, officers, employees, suppliers, agents and any third party content providers, from and against any losses, damages, claims, costs, expenses, demands, and actions, due to or arising out of your use of this Website, your access or connection to this Website, your violation of these Conditions and Terms-of-Use, or your violation of any rights of another.

Governing law and jurisdiction

Your access to or use of this Website, these Conditions and Terms-of-Use and Privacy Policy, and any disputes arising therefrom, shall be governed by the laws of the Republic of South Africa, and shall be subject to the exclusive jurisdiction of the Courts of the Republic of South Africa.

Contact us

If you have any questions about this Terms-of-Use and Privacy Policy, you can contact us via email at: info@energycouncil.org.za