Privacy and Data Processing Agreement

Introduction

zootzone.com is committed to protecting your privacy, notwithstanding the requirements of the respective laws cited.

This document and agreement endeavours to summarise the key requirements of several applicable privacy laws concurrently, including the GDPR (Europe), POPIA (South Africa) and CCPA (California) as well as how *zootzone.com* handles your information in order to comply with them.

Links to the precise details of the respective laws are included at the end of the agreement.

Definitions

The definitions below are broad, rather than specific, as each locality's privacy laws label them slightly differently. The key concepts are the same.

Subject

The person who's data is being *controlled* and *processed*.

The *Subject* in this agreement is a person who is either a *customer or a customer's representative*.

Data

Information which identifies a *Subject*, including details such as their passport or identity number, email address, physical address and so on. Also referred to as *Personal Information.*

Controller

A person or organisation *controlling* the *Subject's* data. The *Controller* determines both the reasons for, as well as the means of processing the *Subject's* information.

The *Controller* in this agreement is *Zootzone CC* (2003/062990/23), trading as *zootzone.com* in the Republic of South Africa.

Processor

A person or organisation *processing* the *Subject's* data.

This *processing* is required in order to operate the primary service (such as email or web hosting) or ancillary (complimentary) services (such as billing) for the express purpose of supporting the *Controller's* ability to carry out functions related to the services.

zootzone.com as well as other sub-processors (organisations) with which zootzone.com has downstream Data Processing Agreements are classified under this definition.

Principles

zootzone.com stands by and acts on the following principles, in order to protect the *Subject's* privacy and to comply with the various privacy laws:

- Only collect information which is explicitly necessary.

- Be fair, transparent and law abiding.

- Ensure that information is accurate.

- Retain information only for as long as is necessary.

- Take appropriate measures to secure the information.

- Only share information with explicitly published Sub-Processors within this agreement.

- Never share information with other 3rd parties, unless explicitly authorised to do so.

Compliance

zootzone.com complies with the various privacy laws by:

- Deploying well known and understood to be secure technologies and system designs.

- Maintaining systems through regular auditing, upgrades and patching where necessary, in order to meet stringent security standards.

- Storing data only for as long as is required by law or for operational reasons.

- Seeking clear, verifiable and where necessary, legal authorisation, prior to acting on requests to alter, delete, or disclose information.

- Supplying an authorised *Subject* with a copy of their data, upon request.

- Correcting an authorised *Subject's* stored information, upon request.

- Permanently deleting an authorised *Subject's* data, upon request, when and where possible. For example, a country's tax authority may require the retention of transactional information for a certain number of years.

- Notifying a *Subject* of a data breach which may have exposed their information to parties outside of the agreed chain of data Sub-Processors.

- Cooperating with law enforcement and other legally empowered entities for the purposes of assessment and disclosure where and when appropriate, according to the applicable law.

Implicit Agreement

- By subscribing to and accessing the services supplied by *zootzone.com*, the *Subject* provides their implicit consent to the storing and processing of their personal information by both *zootzone.com* as the *Controller* and primary *Processor*, as well as by Sub-Processors listed in this agreement.

- If the *Subject* does not consent, they must cancel their service(s) and cease to access them.

- The agreement will remain active for as long as the *Subject* represents a customer that has an active subscription and is making use of *zootzone.com's* services.

Exclusions

- The services operated by *zootzone.com* supply platforms to customers for the storage and processing of customers' own data which *zootzone.com* neither *controls* nor *processes* directly, under the definitions of *Controller* and *Processor* of this agreement.

- Data stored on zootzone.com's servers by its customers, which contains the personal data of *their own* email contacts, their *own* website visitors or their *own* customers are excluded from this agreement. Such an agreement must be drawn up between customers as a *Controller* and their own data *Subjects*.

- The complete end-to-end security of the data which passes through the systems which *zootzone.com* supplies as components of its service, extends beyond the core service itself. A chain of connected systems is only as secure as the weakest link.

- Customers must ensure that their own devices (such as smart phones or laptops) which access the services (such as email accounts) are secure and up-to-date and that their credentials for accessing services hosted by *zootzone.com* are secured in encrypted password vaults on their own devices.

- Similarly, the exposed application layers of a customers' own websites (such as WordPress) are built using software, designs and policies over which *zootzone.com* has no direct control. These layers are the responsibility of the customer and/or their appointed consultants / web developers.

- *zootzone.com* is not liable for any data breaches arising from adversaries, be they people, organisations or systems, which have acquired customer data through means other than directly breaching *zootzone.com*'s controlled systems, where a clear failure to implement reasonable security measures is proven.

Sub-Processors

zootzone.com's services are augmented by other companies' services which process *Subject's* information in various ways, in order to fulfil distinct and only completely necessary functions which *zootzone.com* is currently not in a position to offer itself.

These 3rd parties are *Sub-Processors* of a *Subject's* personal information, where applicable. Each sub-*Processor* of a *Subject's* information has a separate implicit Data Protection Agreement with *zootzone.com.*

Sub-Processor	Function	Web Address	Personal Data Processed
Enchant	Customer support	https://www.enchant.com/	Names, email addresses and phone numbers
Freshbooks	Invoicing	https://www.freshbooks.com/	Names, email addresses, postal addresses, phone numbers
FreeAgent	Accounting	https://www.freeagent.com/	Names, email addresses, postal addresses, phone numbers
RRP Proxy	Domain name registration meta registry	https://www.rrpproxy.net/	Names, email addresses, postal addresses, phone numbers
ZA Central Registry	South African domain registrations	https://registry.net.za/	Names, email addresses, postal addresses, phone numbers
Twilio	Automated SMS provider	https://www.twilio.com/	Mobile phone numbers
PayFast	Credit card payments	https://www.payfast.co.za	Names, email addresses, credit card numbers

Privacy Laws

Acronym	Full Name	Region	Web Address
GDPR	General Data Protection Regulation	Europe	https://gdpr-info.eu/
UK DPA	UK Data Protection Act	United Kingdom	https://uk-gdpr.org/
POPIA	Protection of Personal Information Act	Republic of South Africa	https://popia.co.za/
CCPA	California Consumer Privacy Act	State of California, United States of America	https://www.oag.ca.gov/privacy/ccpa

Information Officer

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