

OPTIMUM ENERGY WEB SITE PRIVACY POLICY

Last Updated: 09 February 2009

OPTIMUM ENERGY is committed to protecting your privacy. This privacy policy tells you about our online collection and use of data. The terms of this policy apply to the OPTIMUM ENERGY Web site and are subject to the Terms and Conditions of Use – which can be found at www.optimumenergy.co.za/legalterms/siteterms.pdf, unless different terms are specified in a form or contract provided to you by us either online or offline.

By using this site, you understand and agree to the terms of this policy. This Web site (“Site”) is owned by Optimum Energy Services (Pty) Ltd (“OPTIMUM ENERGY”, “we”, “us”) and is intended for use by a South African audience, but may be accessed both in South Africa and abroad. For data protection purposes, OPTIMUM ENERGY is the controller and, unless otherwise noted, is also the processor of data. Information collected may be retained indefinitely, and may be stored, processed, accessed, and used in jurisdictions whose privacy laws may be different and less protective than those of your home jurisdiction.

1. Collection of Your Personal Information

- 1.1 When you visit this Site, certain kinds of information, such as the Web site that referred you to us, your IP address, browser type and language, and access times, may be collected automatically as part of the Site's operation. We also may collect navigational information, including information about the pages you view, the links you click, and other actions taken in connection with the Site.
- 1.2 We may combine your visit and navigational information with personal information that you provide. You may always choose not to provide personal information, but, if you so choose, certain products and services may not be available to you. Personal information (e.g., your identity number, full name and contact details) is collected when you register. Additional personal information (e.g., your credit card or banking details and billing address) may be collected to process transactions or to provide you with additional products or services.
- 1.3 Demographic information (e.g., your age, income, gender, or interests) may also be collected and may be linked to your personal information.

2. Use of Your Personal Information

- 2.1 OPTIMUM ENERGY collects and uses your personal information to operate and improve our Site, to provide services to you, to perform research and analysis aimed at improving our products, services and technologies, and to display content that is customised to your location and preferences.

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- 2.2 We may also use your contact information to enable ourselves and our advertisers to communicate with you. We may send transaction-related communications such as welcome letters, billing reminders, and subscription confirmations. We may also send you newsletters or marketing communications to inform you of new products or services or other information that may be of interest. Our advertisers may send you special offers and advertisements by SMS or e-mail. If you do not wish to receive marketing communications, you should follow the "unsubscribe" instructions included within each communication. Please keep in mind that, if you choose not to receive marketing communications, you will continue to receive transactional or account communications (e.g., confirmation e-mails and account statements).
- 2.3 We may for marketing purposes disclose aggregate statistics (information about the user population in general terms) about your personal information to our advertisers or business partners.
- 2.4 Personal information collected by OPTIMUM ENERGY may be stored and processed in South Africa or any other country in which OPTIMUM ENERGY or its service providers or agents maintain facilities, and by using this Site, you consent to any such transfer of information outside of your country.

3. Sharing of Your Personal Information

- 3.1 Except as disclosed in this privacy policy, OPTIMUM ENERGY does not share your personal information with any outside parties.
- 3.2 We may share your personal information with service providers who perform services on our behalf. Those companies or persons will be permitted to obtain only the personal information they need to provide the service. They are required to maintain the confidentiality of the information and are prohibited from using it for any other purpose.
- 3.3 Information about our members, including personal information, may be disclosed as part of any merger, acquisition, or sale of the company and/or its assets, as well as in the unlikely event of insolvency, bankruptcy, or receivership, in which case personal information would be transferred as one of the business assets of the company. We may notify you of such an occurrence as described in the clause 12 below.
- 3.4 We reserve the right to disclose your personal information if required to do so by law, or in the good-faith belief that such action is reasonably necessary to comply with legal process, respond to claims, or protect the rights, property or safety of our company, employees, members, or the public.

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4. Security of Your Personal Information

Whilst we cannot guarantee the absolute security of your personal information we take all commercially reasonable steps and measures to keep it secure by following generally accepted security policies and rules.

5. Personal Information Preferences

- 5.1 OPTIMUM ENERGY respects your right to make choices about the use and disclosure of your personal information. If at any time you decide that you do not want to receive marketing communications from us, please let us know by sending an e-mail to [info@optimumenergy .co.za](mailto:info@optimumenergy.co.za).
- 5.2 If you choose not to receive marketing communications, please be advised that you will continue to receive venture-related notifications and transactional or account communications (e.g., confirmation e-mails and account statements).

6. Use of Cookies and Other Technologies

- 6.1 OPTIMUM ENERGY may use "cookies" to enable you to sign in to our services and to help personalise your online experience. A cookie is a small text file that is placed on your hard drive. Cookies contain information, including personal information that can later be read by a Web server in the domain that issued the cookie to you. The information that cookies collect may include the date and time of your visit, your registration information, and your navigational history.
- 6.2 In some cases, our third-party service providers may use cookies on our Site. We have no access to or control over these cookies. This privacy statement covers the use of cookies by OPTIMUM ENERGY only, and does not cover the use of cookies by third parties.
- 6.3 You have the ability to accept or decline cookies. Most browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies. If you choose to decline cookies, you may not be able to sign in or use other interactive features of our Site and services that depend on cookies.
- 6.4 In addition to cookies, we may use other technologies, including single-pixel images on our Site and in promotional e-mail messages or newsletters. These tiny electronic images assist us in determining how many users have visited certain pages or opened messages or newsletters. We do not use these images to collect personal information.

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7. Registration Data

- 7.1 During the registration process you will provide your identifying particulars and contact information and select a password. It is your responsibility to maintain the confidentiality and security of your password.
- 7.2 Members can view their personal information and correct it if necessary.

8. Interactive Areas

Our Site may include discussion forums or other interactive areas or services, including venture listings, blogs, chat rooms, bulletin boards, message boards, online hosting or storage services, or other areas or services in which you or third parties create, post or store any content, messages, comments, materials or other items on the Site ("Interactive Areas"). The Site is designed to protect the personal information which you supply at registration and the private and confidential information relating to your ventures (in the case of entrepreneurs) or your investment proposals (in the case of investors) from disclosure to parties other than those members which you expressly permit to view such information and we use industry-standard security mechanisms to this end. However, we are not in any way responsible for any personal information you submit in connection with the Interactive Areas, nor are we responsible for how others might use that information, including sending you unsolicited messages. Interactive Area postings may be retained indefinitely.

9. E- Mail Monitoring

We provide e-mail addresses on the Site which enable you to contact us. In order to check for viruses and the presence of inappropriate content, we reserve the right to intercept, monitor and inspect all material and information transmitted over our system.

10. Minors

We do not intend to offer services to or solicit or collect personal information from anyone under the age of 18. If you are under 18, you should not use or enter information on this Site, including, without limitation, any Interactive Areas of the Site.

11. Links

We may link to Web sites that have different privacy policies and practices from those disclosed here. We assume no responsibility for the policies or practices of such linked sites, and encourage you to become acquainted with them prior to use.

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12. Changes to This Privacy Policy

We reserve the right to change the terms of this privacy policy at any time. When we make changes, we will revise the "Last Updated" date at the top of the policy. If there are material changes to this statement or in how OPTIMUM ENERGY will use your personal information, we will notify you by prominently posting a notice of such changes here or on our home page, or by sending you an e-mail. We encourage you to review this policy whenever you visit our Site.

13. Contact Information

If you have questions or concerns regarding this privacy policy, please contact OPTIMUM ENERGY by e-mailing info@optimumenergy.co.za.