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Lightstruck Connect (Pty) Ltd t/a Yutiliti

Standard Website Privacy & Cookies Policy

The Protection of Personal Information Act, No. 4 of 2013 ("POPIA") came into full effect on 1 July 2021. In compliance with this legislation, **Lightstruck Connect (Pty) Ltd t/a Yutiliti** has a legal obligation to process personal information lawfully and responsibly. We recognize the importance of data privacy and have implemented measures to safeguard your personal information to ensure it remains secure and confidential.

This document serves as both our Privacy Policy and our Data Subject Notification, as required by Section 18 of POPIA. Its purpose is to inform you about:

- What personal information we collect,
- Why do we collect it,
- How do we use it, and
- The security measures in place to protect it.

When we refer to "process", we mean the various ways we handle personal information, including collecting, using, storing, making available, updating, disclosing, destroying, or otherwise dealing with it. As a standard practice, we will only process your personal information when it is necessary to:

- Deliver or offer a service,
- Provide a product, or
- Carry out a transaction.

We may also combine your personal information with other data for any of the purposes outlined in this Privacy Policy.

Any reference to "we," "us," or "our" within this document refers to **Lightstruck Connect (Pty) Ltd t/a Yutiliti**.

By using our products, services, or engaging with us, you acknowledge and agree that we may process your personal information as described in this Privacy Policy.

We may update this Privacy Policy periodically to reflect changes in legal requirements or business practices. The version displayed on our website at the time of your interaction with us will be the version applicable to you.

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What is personal information?

- **Identification & Contact Details:** Full name, identity number, passport number (where applicable), date of birth, nationality, company registration details (for wholesale Internet Service Providers, enterprise clients, or estate developers), and contact details (phone number, email address, physical installation address, and billing address).
- **Site & Project Verification Data:** Information collected for network planning, last-mile route assessments, wayleave mapping, civil engineering evaluations, and structural compliance, including proof of property ownership or tenant installation authorization, geographical coordinates, and site assessment photos.)
- **Transaction & Service Data:** Records of fibre optic line requests, network availability queries, package upgrades, bandwidth or dark fibre lease agreements, project deployment timelines, hardware configurations (ONT serial numbers), and service desk support ticket interactions.)
- **Financial & Billing Information:** Payment records, commercial bank account details for billing and settlement reconciliations, credit applications or wholesale trade account references, financial transactions related to infrastructure provisioning, and billing dispute records).
- **Digital & Technical Data:** IP addresses, MAC addresses, device identifiers, cookies, metadata collected when engaging with our online portal, web traffic logs routed through our network management systems, and location queries on our interactive fibre coverage map).
- **Correspondence & Communication Records:** Customer, ISP, or landowner inquiries; line installation complaints; network outage notifications; recorded calls to our network operations centre (NOC) (where legally permitted); and customer preferences for maintenance notifications or marketing updates).
- **Network Infrastructure Security & Field Safety Data**: Physical access control logs for network distribution nodes, security clearance and dispatch records for field technicians, and necessary identity records required for RICA compliance and cybersecurity law adherence.
- **Other Information:** Any additional data required to comply with statutory and regulatory obligations (such as the Electronic Communications Act, RICA, or Occupational Health and Safety Act compliance for trenching crews) or to deploy and maintain our fibre networks efficiently).

Is the supply of personal information voluntary or mandatory?

The supply of certain personal information is mandatory, meaning we have to collect this personal information from you by law. If you do not supply this information, we cannot comply with our legal obligations. In this regard, if you do not supply this personal information, we cannot do business with you. We collect personal information as is required by the following legislation:

Basic Conditions of Employment Act, No. 75 of 1997
Labour Relations Act, No. 66 of 1995
Companies Act, No. 71 of 2008
Competition Act, No. 89 of 1998
Consumer Protection Act, No. 68 of 2008
Constitution of the Republic of South Africa Act, No. 108 of 1996

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Electronic Communication and Transactions Act, No. 25 of 2002
Employment Equity Act, No. 55 of 1998
Income Tax Act, No. 58 of 1962
Insolvency Act, No. 24 of 1936
National Payment Systems Act No. 78 of 1998
Occupational Health and Safety Act No. 85 of 1993
Prevention of Organised Crime Act No. 121 of 1998
Promotion of Access to Information Act, No. 2 of 2000
Protection of Personal Information Act, No. 4 of 2013
Skills Development Levies Act, No. 9 of 1999
Short-Term Insurance Act, No. 53 of 1998
The Long-Term Insurance Act, No. 52 of 1998
Trademark Act No. 194 of 1993
Unemployment Insurance Act, No. 63 of 2001
Value Added Tax Act, No. 89 of 1991
Regulation of Interception of Communications and Provision of Communication-related Information Act, No. 70 of 2002

In other instances, the supply of personal information is voluntary, which means there is no law imposed on us to collect this personal information. Even though there is no law that imposes the collection of the personal information, we require the personal information to deliver the products and/or services to you. In this regard, if you do not supply the personal information, we cannot do business with you.

When will we process your personal information?

We will only process your personal information for lawful purposes relating to our business if the following applies:

- if you have consented thereto.
- You have given explicit consent.
- A person legally authorized by you, the law, or a court has provided consent.
- It is required to fulfil a contractual agreement.
- The law mandates or permits processing, including compliance with other regulatory requirements.
- It is necessary to protect or pursue a legitimate interest, such as fraud prevention, customer support, or business operations.

What is special personal information?

Special personal information refers to sensitive data that **Lightstruck Connect (Pty) Ltd t/a Yutiliti** may be required to process under POPIA in connection with compliance, and related regulatory requirements. This includes:

- Criminal behaviour records (when mandated by law for fraud prevention, security verification, or other regulatory requirements)

- Health information (only where necessary for employment purposes, such as workplace health and safety requirements)
- Racial or ethnic origin (where required for compliance with regulatory or identification laws)
- Political affiliations (only if necessary for compliance with legal or security protocols)

We do not process special personal information unless it is legally required, relevant to employment or security processes, or explicitly consented to by the data subject.

When will we process your special personal information?

We may process your special personal information in the following circumstances:

- You have explicitly consented to the processing.
- The information is required for employment, payroll, or human resource purposes.
- It is necessary to establish, exercise, or defend a legal right or obligation.
- It is used for research or statistical purposes in compliance with legal conditions.
- The information was made publicly available by you.
- Processing is mandated by law, such as anti-fraud measures or regulatory reporting.
- Racial information is required for identification, and/or health data is processed to determine insurance risk, compliance, or enforcement of an insurance policy.

When and from where we obtain personal information about you?

We collect personal information from various sources relevant to our last-mile fibre infrastructure deployment, wholesale telecommunications services, and regulatory requirements. These sources include:

- **Directly from you** – When you register your interest on our fibre coverage, request a fibre package at your premises, submit a support query or apply for a wholesale enterprise account.
- **From public records** – Where legally permitted for checking property deeds registries (to verify land ownership for wayleave approvals), contractor vetting, and fraud prevention.
- **From publicly available sources** – If you have made the information public, such as on a publicly accessible social media channel or professional business platform (e.g., LinkedIn for vendor evaluations and business-to-business engagement).
- **From your interactions with us** – Including phone calls, emails, WhatsApp messages, customer support tickets, website activity, and service inquiries.
- **From third parties** – Such as licensed downstream Internet Service Providers (ISPs) who partner with us, property developers, homeowner's associations (HOAs), municipal authorities, and credit bureaus to facilitate infrastructure rollout and fulfil our business and contractual obligations).
- **With your consent, from other sources** – If you provide explicit consent, we may collect additional information from trusted partners, corporate references, or industry affiliates.

If required by law, we will obtain your consent before collecting personal information from third parties.

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The third parties from whom we may collect your personal information include, but are not limited to, the following:

To comply with legal, regulatory, and operational requirements inherent to telecommunications infrastructure deployment, we may obtain personal information from the following third parties:

- **Internet Service Providers (ISPs) & Property Partners:** Retail ISP partners, property developers, estate managers, and Homeowners Associations (HOAs) when coordinating last-mile connections, verifying line activations, and managing end-user installations.
- **Telecommunications & Infrastructure Regulatory bodies** – Entities such as the Independent Communications Authority of South Africa (ICASA), municipal engineering departments, and roads authorities when securing wayleave approvals and managing infrastructure compliance.
- **Civil Engineering & Technical Subcontractors:** Independent trenching crews, cable blowing specialists, and fibre splicing contractors who provide on-site deployment feedback, property access verification, and quality assurance logs.
- **Financial institutions and Credit Bureaus** – Banking partners, payment gateways, and commercial credit risk assessment agencies used to process wholesale billing transactions, manage trade accounts, and prevent fraud.
- **Customer Support & Network Monitoring Partners:** External IT service providers, cloud infrastructure hosts, and data centre operators assisting with network performance monitoring, system diagnostics, and customer support ticket resolution.
- **Legal Representatives & Enforcement Agencies:** Law enforcement agencies (under valid RICA directives or warrants), legal counsel, and state authorities if required to protect our physical network infrastructure, enforce legal rights, or comply with judicial court order.

Why We Process Your Personal Information

We process personal information for the following specific business and regulatory purposes:

- **Wholesale Network Service Provisioning:** To manage wholesale accounts, allocate bandwidth capacity, configure Virtual Local Area Networks (VLANs), and provide seamless open-access connectivity infrastructure to our retail Internet Service Provider (ISP) partners.
- **Retail Support & ISP Operations:** To monitor retail connection stability, perform consumer-level diagnostics, manage customer router configurations, and resolve end-user technical connectivity queries reported via our support desk.
- **Billing, Finance, and Account Administration:** To manage commercial customer accounts, generate wholesale service invoices, process payments, conduct credit screening for corporate clients, and reconcile account payments with suppliers and subcontractors.
- **Partner and Contractor Coordination:** To verify certifications, manage health and safety compliance files (OHS Act), track deliverables, and manage payments for civil engineering subcontractors, trenching crews, and technical splicing specialists.
- **Customer Support & Communication:** To process queries submitted via our digital coverage map portal, send system maintenance notifications, communicate planned network outages, and resolve queries or complaints.
- **Legal, Statutory, and Regulatory Compliance:** To comply with the Electronic Communications Act, fulfil lawful interception or data retention directives under the

Regulation of Interception of Communications and Provision of Communication-Related Information Act (RICA), and manage tax reporting to SARS.

- **Security & Fraud Prevention:** To secure our physical exchange nodes and corporate premises through access control monitoring, protect our IT networks against cyber threats, verify vendor identities, and prevent unauthorized network manipulation.

How We Use Your Personal Information for Marketing

As an open-access infrastructure provider, Lightstruck Connect (Pty) Ltd t/a Yutiliti uses your personal information to communicate network availability, infrastructure updates, and relevant connectivity solutions. We approach marketing with a commitment to privacy and compliance under the Protection of Personal Information Act (POPIA).

- **Promoting Our Products & Services:** Promoting Fibre Availability involves checking network coverage via our online map, where provided contact details will keep users updated on fibre rollout changes. Estate and community announcements inform nearby property owners and residents about infrastructure upgrades and local installations.
- **Channels of Communication:** We will contact you via email, SMS, telephone, or other digital channels, where permitted by law.
- **Consent for New Customers:** If you are a prospective customer (not currently an existing client), we will only send you direct marketing communications if you have given us your explicit consent to do so.
- **Your Right to opt out:** You have the right to opt out of receiving marketing communications from us at any time. Every marketing message we send will include a clear, hassle-free option to unsubscribe or opt out. Alternatively, you can contact us directly to update your communication preferences.

When how and with whom we share your personal information?

We only share your personal information when legally permitted, including in the following circumstances:

- **With Your Consent:** When you have given us explicit permission to share your information with a third party. (E.g., if you request assistance in selecting an internet package, we may introduce you or share your contact details with an authorized, retail Internet Service Provider (ISP) operating on our open-access network).
- **For Contractual Fulfilment:** To manage your fibre package order and network delivery from start to finish. This includes sharing necessary deployment details with civil engineering subcontractors (trenching and cable-blowing crews), specialized fibre splicing technicians, and external site supervisors coordinating physical access to your property.
- **To Comply with Legal Obligations:** If required to do so by regulatory authorities (such as ICASA), law enforcement agencies or judicial authorities under valid statutory mandates (such as RICA directives or warrants), tax agencies (SARS) for corporate reporting, or under the Occupational Health and Safety (OHS) Act for on-site civil works reporting.
- **For Legitimate Business Interests:** With trusted third-party service providers support operations under confidentiality. They include financial institutions, credit bureaus, IT/cloud hosting, network diagnostic vendors, and security agencies.

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Under what circumstances will we transfer your information to other countries?

We will only transfer your personal information to third parties in another country in any one or more of the following circumstances:

- where your personal information will be adequately protected under the other country's laws or an agreement with the third-party recipient.
- where the transfer is necessary to enter into or perform under a contract with you, or a contract with a third party that is in your interest.
- where you have consented to the transfer; and / or
- where it is not reasonably practical to obtain your consent, the transfer is in your interest.

This transfer will happen within the requirements and safeguards of the law. Where possible, the party processing your personal information in the other country will agree to apply the same level of protection as available by law in your country or if the other country's laws provide better protection the other country's laws would be agreed to and applied.

How we secure your personal information

- We will take appropriate and reasonable technical and organisational steps to protect your personal information according to industry best practices. Our security measures (including physical, technological, and procedural safeguards) will be appropriate and reasonable. This includes the following:
- keeping our systems secure (like monitoring access and usage);
- storing our records securely.
- controlling the access to our buildings, systems and/or records; and
- safely destroying or deleting records.
- Ensure compliance with best practice standards.

How long do we keep your personal information?

We will keep your personal information for as long as:

- the law requires us to keep it.
- a contract between you and us requires us to keep it.
- you have consented for us keeping it.
- we are required to keep it to achieve the purposes listed in this Privacy Policy.
- we require it for statistical or research purposes.
- a code of conduct requires us to keep it; and / or
- we require it for our lawful business purposes.

Take note: We may keep your personal information even if you no longer have a relationship with us, for the historical data that may be required by your employer or employee.

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Our cookie policy

A cookie is a small piece of data sent from our websites or applications to your computer or device hard drive or Internet browser where it is saved. The cookie contains information to personalise your experience on our websites or applications and may improve your experience on the websites or applications. The cookie will also identify your device, like the computer or smart phone.

By using our websites or applications you agree that cookies may be forwarded from the relevant website or application to your computer or device. The cookie will enable us to know that you have visited the website or application before and will identify you. We may also use the cookie to prevent fraud and for analytics.

Your duties and rights about the personal information we have about you.

You must provide proof of identity when enforcing the rights below.

You must inform us when your personal information changes.

Please contact our Information Officer to give effect to any of the below rights.

You have the right to request access to the personal information we have about you by contacting us. This includes requesting:

- confirmation that we hold your personal information.
- a copy or description of the record containing your personal information; and
- the identity or categories of third parties who have had access to your personal information.

We will attend to requests for access to personal information within a reasonable time. You may be required to pay a reasonable fee to receive copies or descriptions of records, or information about third parties. We will inform you of the fee before attending to your request.

Please note that the law may limit your right to access information.

You have the right to request us to correct or delete the personal information we have about you if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or we are no longer authorised to keep it. You must inform us of your request in writing. It may take up to 15 business days for the change to reflect on our systems. We may request documents from you to verify the change in personal information.

A specific agreement that you have entered into with us may determine how you must change your personal information provided at the time when you entered into the specific agreement. Please adhere to these requirements. If the law requires us to keep the personal information, it will not be

deleted upon your request. The deletion of certain personal information may lead to the termination of your business relationship with us.

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You may object on reasonable grounds to the processing of your personal information.

We will not be able to give effect to your objection if the processing of your personal information was and is permitted by law; you have provided consent to the processing and our processing done according to your consent or the processing is necessary to conclude or perform under a contract with you.

Where you have provided your consent for the processing of your personal information, you may withdraw your consent. If you withdraw your consent, we will explain the consequences to you. We may proceed to process your personal information even if you have withdrawn your consent if the law permits or requires it. It may take up to 15 business days for the change to reflect on our systems, during this time we may still process your personal information. You must inform us of any objection in writing.

You have a right to file a complaint with us or any Regulator with jurisdiction about an alleged contravention of the protection of your personal information by us. We will address your complaint as far as possible.

The contact details for the Information Regulator are as follows:

Email:	POPIAComplaints@inforegulator.org.za
Postal Address:	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Physical Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.

How can you get in touch with us?

For any queries in relation to this letter or our processing of your personal information in general, you can contact our Information Officer and/or Deputy Information Officer at the following details:

Business Name	Lightstruck Connect (Pty) Ltd t/a Yutiliti
Registration Number	2016/157916/07
Registered Office	Unit 4, Vision House 2, 55 Blauuwberg road, Table View, Cape Town, 7441
Postal Address	Unit 4, Vision House 2, 55 Blauuwberg Road, Table View, Cape Town, 7441
Contact Number	021 300 6383
Information Officer	Shannon Ray Cogill
Email address/es	shannon@yutiliti.co.za