

# APS Tours and Adventures - Privacy Policy

**Effective Date:** 21 August 2025

**Last Updated:** 21 August 2025

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## 1. Introduction

APS Tours and Adventures (Pty) Ltd ("we", "us", "our", "APS") is committed to protecting your privacy and personal information. This Privacy Policy explains how we collect, use, store, and protect your personal information in accordance with South Africa's Protection of Personal Information Act 4 of 2013 (POPIA) and other applicable laws.

### Company Details:

- **Name:** APS Tours and Adventures (Pty) Ltd
- **Registration Number:** 2024/682733/07
- **Physical Address:** 2 Deacon Street, Island View, Mossel Bay, Western Cape, South Africa
- **Postal Address:** 18 Port Natal Road, Hartenbos, Mossel Bay, Western Cape, 6520
- **Contact:** [info@apsafricatours.com](mailto:info@apsafricatours.com) | +27 84 587 4778
- **Website:** [www.apsafricatours.com](http://www.apsafricatours.com)

By using our website, booking our services, or interacting with us, you consent to the collection and use of your personal information as described in this Privacy Policy.

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## 2. Information Officer (Data Protection Officer)

In compliance with POPIA, we have designated an Information Officer responsible for ensuring compliance with data protection laws:

**Information Officer:** [Name to be appointed]

**Email:** [info@apsafricatours.com](mailto:info@apsafricatours.com)

**Phone:** +27 84 587 4778

**Address:** 2 Deacon Street, Island View, Mossel Bay, Western Cape, South Africa

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## 3. What Personal Information We Collect

### 3.1 Information You Provide Directly

When you interact with us, we may collect:

## **Booking and Contact Information:**

- Full name and surname
- Email address and phone numbers
- Physical and postal addresses
- Date of birth and age
- Nationality and passport details
- Emergency contact information

## **Payment Information:**

- Credit card or payment details (processed securely through third-party payment providers)
- Billing addresses
- Transaction history

## **Health and Safety Information:**

- Medical conditions relevant to tour activities
- Physical fitness levels
- Dietary restrictions and allergies
- Mobility limitations
- Swimming ability (for marine activities)
- Previous experience with adventure activities

## **Preference Information:**

- Tour preferences and interests
- Accommodation requirements
- Special requests and needs
- Communication preferences

## **3.2 Information We Collect Automatically**

When you visit our website, we automatically collect:

### **Technical Information:**

- IP address and location data
- Browser type and version
- Device information and operating system
- Website usage patterns and navigation

- Pages visited and time spent
- Referral sources

## **Cookies and Tracking Technologies:**

- Essential cookies for website functionality
- Analytics cookies to improve our services
- Marketing cookies (with your consent)
- Third-party tracking pixels

## **3.3 Information from Third Parties**

We may receive information about you from:

- Tour operators and activity providers
- Insurance companies
- Payment processors
- Travel agents or booking platforms
- Your emergency contacts (if necessary)

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## **4. Legal Basis for Processing Your Information**

Under POPIA, we process your personal information based on the following legal grounds:

### **4.1 Contractual Necessity**

- Processing bookings and providing tour services
- Managing payments and billing
- Coordinating with tour operators and guides
- Providing customer support

### **4.2 Legitimate Interest**

- Website analytics and improvement
- Fraud prevention and security
- Marketing to existing customers
- Business development and planning

### **4.3 Consent**

- Marketing communications to new prospects
- Non-essential cookies and tracking

- Sharing testimonials and photos
- Additional data processing beyond core services

#### **4.4 Legal Obligation**

- Compliance with tourism regulations
- Tax and accounting requirements
- Safety and emergency procedures
- Information requests from authorities

#### **4.5 Vital Interest**

- Emergency medical situations
- Safety-critical communications
- Protecting life and health

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### **5. How We Use Your Personal Information**

#### **5.1 Primary Purposes**

- **Tour Services:** Planning, coordinating, and delivering your tour experiences
- **Safety Management:** Ensuring appropriate activities based on health and fitness
- **Communication:** Providing updates, confirmations, and support
- **Payment Processing:** Managing transactions and billing
- **Legal Compliance:** Meeting regulatory and safety requirements

#### **5.2 Secondary Purposes**

- **Service Improvement:** Analysing feedback to enhance our offerings
- **Marketing:** Sending relevant offers and information (with consent)
- **Website Enhancement:** Improving user experience and functionality
- **Business Operations:** Planning, reporting, and development

#### **5.3 Medical Information**

Health and medical information is used solely for:

- Determining suitability for specific activities
- Ensuring appropriate safety measures
- Emergency response planning
- Liability management

- Compliance with activity operator requirements

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## 6. Information Sharing and Disclosure

### 6.1 Third-Party Service Providers

We share your information with trusted partners who help deliver our services:

#### Tour Guides and Operators:

- Licensed tour guides with PDP permits
- Activity operators (shark diving, wine tours, etc.)
- Safari operators and cultural tour providers
- Restaurant and accommodation providers

#### Essential Service Providers:

- Payment processors and banks
- Insurance companies (when you purchase coverage)
- Vehicle rental companies
- Emergency services (when necessary)

#### Business Support:

- IT service providers and hosting companies
- Marketing and analytics platforms
- Customer support systems
- Legal and professional advisors

### 6.2 Legal Requirements

We may disclose your information when required by law:

- Court orders and legal proceedings
- Government and regulatory requests
- Law enforcement investigations
- Emergency situations requiring immediate action

### 6.3 Business Transfers

In the event of a merger, acquisition, or business sale, your information may be transferred to the new entity, subject to the same privacy protections.

## 6.4 With Your Consent

We may share your information for other purposes with your explicit consent, such as:

- Marketing partnerships
- Testimonials and case studies
- Social media features
- Third-party integrations

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## 7. International Data Transfers

### 7.1 Cross-Border Processing

Some of our service providers may be located outside South Africa. When we transfer your personal information internationally, we ensure:

- Adequate security measures are in place
- Contractual protections are established
- Data subject rights are maintained
- POPIA compliance is ensured

### 7.2 Countries We May Transfer To

- European Union (adequate protection level)
- United States (with appropriate safeguards)
- Other countries where our technology providers operate

### 7.3 Safeguards in Place

- Standard contractual clauses
- Adequacy decisions where available
- Binding corporate rules
- Explicit consent for specific transfers

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## 8. Data Security and Protection

### 8.1 Security Measures

We implement appropriate technical and organisational measures to protect your information:

#### Technical Safeguards:

- SSL encryption for data transmission
- Secure data storage and backup systems
- Access controls and authentication
- Regular security updates and monitoring
- Firewall and intrusion detection systems

### **Organisational Safeguards:**

- Staff training on data protection
- Clear data handling procedures
- Regular security audits and assessments
- Incident response procedures
- Confidentiality agreements with staff and partners

## **8.2 Data Breach Procedures**

In the event of a data breach that may harm your rights and freedoms:

- We will notify the Information Regulator within 72 hours
- We will inform affected individuals without undue delay
- We will take immediate steps to contain and remedy the breach
- We will provide clear information about the breach and our response

## **8.3 Retention and Disposal**

- We retain your information only as long as necessary for the stated purposes
- Booking records are kept for 7 years for tax and legal compliance
- Marketing data is retained until you opt out or withdraw consent
- Secure deletion procedures are followed when data is no longer needed

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## **9. Your Rights Under POPIA**

### **9.1 Right to Access**

You have the right to:

- Know what personal information we hold about you
- Receive a copy of your personal information
- Understand how your information is being used
- Request information about third parties we share data with

## **9.2 Right to Correction**

You can:

- Request correction of inaccurate information
- Update your personal details
- Complete incomplete information
- Have us verify information accuracy

## **9.3 Right to Deletion**

You may request deletion when:

- Information is no longer necessary for the original purpose
- You withdraw consent (where consent was the legal basis)
- Information has been unlawfully processed
- Legal requirements mandate deletion

## **9.4 Right to Object**

You can object to:

- Processing based on legitimate interests
- Direct marketing communications
- Automated decision-making
- Processing that causes substantial damage or distress

## **9.5 Right to Data Portability**

Where technically feasible, you can:

- Receive your data in a structured, commonly used format
- Transfer your data to another service provider
- Have us transmit your data directly to another controller

## **9.6 Right to Restrict Processing**

You can request restriction when:

- You contest the accuracy of the information
- Processing is unlawful but you prefer restriction to deletion
- We no longer need the data but you need it for legal claims
- You have objected and we're verifying our legitimate grounds

## 10. How to Exercise Your Rights

### 10.1 Making a Request

To exercise your rights:

- **Email:** [info@apsafricatours.com](mailto:info@apsafricatours.com)
- **Phone:** +27 84 587 4778
- **Post:** Information Officer, APS Tours and Adventures, 2 Deacon Street, Island View, Mossel Bay, Western Cape, South Africa

### 10.2 Verification Process

To protect your privacy, we may request:

- Photo identification
- Proof of address
- Additional verification for sensitive requests
- Authorisation for third-party requests

### 10.3 Response Times

- We will acknowledge your request within 1 business day
- We will respond within 30 days of verification
- Complex requests may take up to 90 days
- We will inform you of any delays and reasons

### 10.4 Fees

- Most requests are processed free of charge
- Excessive or repeated requests may incur reasonable fees
- We will inform you of any fees before processing
- Fees will be based on administrative costs

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## 11. Cookies and Website Analytics

### 11.1 What Are Cookies

Cookies are small text files stored on your device that help us:

- Remember your preferences and settings
- Understand how you use our website

- Provide personalised content and advertisements
- Ensure website security and functionality

## 11.2 Types of Cookies We Use

### Essential Cookies (Always Active):

- Login and authentication
- Shopping cart functionality
- Security and fraud prevention
- Load balancing and performance

### Analytics Cookies (With Consent):

- Google Analytics for website usage statistics
- Heatmap tools for user behaviour analysis
- Performance monitoring and optimisation
- A/B testing for website improvements

### Marketing Cookies (With Consent):

- Social media integration
- Advertising platform pixels
- Retargeting and remarketing
- Personalised content delivery

## 11.3 Managing Cookie Preferences

You can control cookies through:

- Our cookie consent banner (on first visit)
- Your browser settings
- Third-party opt-out tools
- Contacting us directly

## 11.4 Third-Party Cookies

We use the following third-party services:

- **Google Analytics:** Website analytics and reporting
- **Facebook Pixel:** Social media advertising
- **Google Ads:** Search and display advertising
- **Booking Platforms:** Integration with travel booking systems

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## 12. Marketing Communications

### 12.1 What We Send

With your consent, we may send:

- Tour promotions and special offers
- Newsletter with travel tips and destination information
- Seasonal campaigns and early bird specials
- Customer satisfaction surveys
- Important service updates

### 12.2 Consent and Opt-In

- We use double opt-in for email marketing
- Consent is freely given and can be withdrawn
- We clearly identify marketing content
- We respect your communication preferences

### 12.3 Unsubscribing

You can opt out at any time by:

- Clicking unsubscribe links in emails
- Contacting us directly
- Updating your profile preferences
- Using our online preference centre

### 12.4 Legitimate Interest Marketing

For existing customers, we may send relevant offers based on legitimate interest, but you can always opt out.

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## 13. Children's Privacy

### 13.1 Age Restrictions

- We do not knowingly collect information from children under 13
- Some tours have minimum age requirements
- Parental consent is required for minors (under 18)

- Parents/guardians are responsible for providing accurate information

## 13.2 Parental Controls

Parents and guardians can:

- Access their child's information
- Request correction or deletion
- Withdraw consent at any time
- Control communication preferences

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## 14. Social Media and Third-Party Links

### 14.1 Social Media Integration

Our website may include social media features that:

- Allow sharing of content
- Display social media feeds
- Enable social media login
- Collect information subject to their privacy policies

### 14.2 Third-Party Links

We may link to third-party websites that:

- Have their own privacy policies
- Operate independently from us
- May collect information when you visit
- Are not covered by this privacy policy

### 14.3 User-Generated Content

If you share content with us:

- You grant us permission to use it for marketing
- We may share it on our social media platforms
- You retain ownership of your content
- You can request removal at any time

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## 15. Data Subject Complaints

## 15.1 Internal Complaints

If you're not satisfied with how we handle your information:

- Contact our Information Officer first
- We will investigate and respond within 30 days
- We will provide clear explanations and remedies
- We maintain records of all complaints and resolutions

## 15.2 Information Regulator

If you're not satisfied with our response, you can complain to:

- **Information Regulator (South Africa)**
- **Email:** [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)
- **Phone:** +27 12 406 4818
- **Address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

## 15.3 Legal Action

You have the right to:

- Seek damages for harm caused by privacy violations
- Take legal action in South African courts
- Join class action lawsuits where applicable
- Seek injunctive relief to stop harmful processing

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## 16. Changes to This Privacy Policy

### 16.1 Policy Updates

We may update this Privacy Policy to:

- Reflect changes in our practices
- Comply with new legal requirements
- Improve clarity and transparency
- Address new technologies or services

### 16.2 Notification of Changes

We will notify you of significant changes by:

- Email notification to registered users

- Prominent website notices
- Updated "Last Modified" date
- Pop-up notifications where appropriate

## 16.3 Continued Use

Your continued use of our services after policy changes constitutes acceptance, unless the changes require explicit consent.

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## 17. Contact Information

### 17.1 General Inquiries

#### **APS Tours and Adventures (Pty) Ltd**

Email: [info@apsafricatours.com](mailto:info@apsafricatours.com)

Phone: +27 84 587 4778

Website: [www.apsafricatours.com](http://www.apsafricatours.com)

### 17.2 Privacy-Specific Inquiries

#### **Information Officer**

Email: [info@apsafricatours.com](mailto:info@apsafricatours.com)

Phone: +27 84 587 4778

Address: 2 Deacon Street, Island View, Mossel Bay, Western Cape, South Africa

### 17.3 Emergency Contact

For urgent matters related to your tour or safety:

Emergency Line: +27 84 587 4778 (24/7)

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## 18. Legal Framework

This Privacy Policy is governed by:

- **Protection of Personal Information Act 4 of 2013 (POPIA)**
- **Constitution of the Republic of South Africa, 1996**
- **Electronic Communications and Transactions Act 25 of 2002**
- **Consumer Protection Act 68 of 2008**
- **Tourism Act 3 of 2014**

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**By using our services, you acknowledge that you have read, understood, and agree to this Privacy Policy. If you do not agree with any part of this policy, please do not use our website or services.**

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*This Privacy Policy was last updated on 21 August 2025. We reserve the right to modify this policy at any time in accordance with applicable laws and regulations.*