

## ELECTRONIC MESSAGE DISCLAIMERS

### 1. Application

The following terms shall apply to this email communication, attachments and all subsequent email communications and attachments, (collectively referred to as the electronic message), which may be sent from and / or received by Konsortium Solutions (Pty) Ltd (“Konsortium”).

### 2. Konsortium terms and conditions

Any advice or information contained in this electronic message is subject to any governing agreement between Konsortium and yourself or the entity you represent and where the contents of any advice or information contained in this electronic message may conflict with the governing agreement, the governing agreement will take precedence. Only duly authorised persons acting within the scope of their authority are able to bind Konsortium contractually.

Konsortium expressly contracts out of the provisions of sections 22, 23, 24, 25 and 26 of the Electronic Communications of Transactions Act, 25 of 2002, (ECTA) as is allowed under section 21 of ECTA.

Following the above, nothing in this electronic message constitutes an offer, acceptance, warranty or representation from Konsortium.

### 3. Receipt and dispatch of electronic messages

Electronic messages sent to Konsortium will only be regarded as having been received by Konsortium once the person to whom it has been sent to acting for and on behalf Konsortium expressly acknowledges receipt thereof.

Konsortium will be deemed to have sent an electronic message once reflected as sent on its email server.

#### **4. Personal Information**

By inserting or providing Konsortium with any personal information, whether housed under the electronic message or contained in any attachment, you the sender hereby consent to the processing and further processing by Konsortium of such personal information, which will be done in accordance with the Protection of Personal Information Act, 4 of 2013, (POPIA) read with the Konsortium's POPIA Policy and section 18 Informed Consent terms and conditions which can be obtained by accessing this URL <https://www.konsortium.co.za>

The information contained in any Konsortium electronic message may house other persons' personal information, which is protected under POPIA and which information you may not process or further process unless with the express consent of the data subject and/or owner of such Personal Information.

#### **5. Confidential information**

The information contained in any Konsortium electronic message may house confidential information and may be subject to legal privilege. It is intended solely for the use of the receiver (individual or entity) to whom Konsortium has addressed the electronic message to and others authorised by Konsortium to receive it.

If you are not the intended receiver of this email (or such person's authorised representative), please notify the sender of this email immediately by return email, facsimile or telephone and delete this message from your system.

You may not print, store, forward or copy this electronic message or any part thereof or disclose or cause information in this electronic message to be disclosed to any other person and are hereby notified that any disclosure, copying, distribution or taking action in relation to any of the contents of the electronic message is strictly prohibited and may be unlawful.

#### **6. Offensive, derogatory or defamatory statements**

Konsortium has bound its employees to a code of ethical conduct and all Konsortium employees have agreed to use all electronic systems provided to them by Konsortium

in a responsible and lawful manner.

Konsortium accepts no responsibility for any offensive, unlawful, derogatory or defamatory statements or materials, which may be housed under any electronic message. Any such message will be deemed to have been sent by the sender in his or her personal capacity and outside his or her scope of employment with Konsortium and accordingly such person will be personally liable for any damages occasioned as a result of the offensive, unlawful, derogatory or defamatory content contained therein.

#### **7. No liability**

The Company is not responsible for any improper or unlawful use or dissemination of the information housed under this electronic message or its attachments; any incomplete transmission of the information contained in this electronic message or its attachments, or for any delay in its receipt; harm or loss resulting from malicious software, code or viruses present in this electronic message, or its attachments, or any data corruption resulting therefrom; harm or loss howsoever, resulting from any defamatory and / or unlawful content housed in this electronic message, or its attachments.

#### **8. Account details**

Konsortium will never send a change of Banking Details Notification in an electronic message without making prior contact with the intended recipient of the electronic message.

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**END**