

1. INTRODUCTION AND GENERAL TERMS

Newfair Limited, a company registered under company number 12667752 which operates in London ("South South", "we", "us" or "our" in this notice).

South South is an online community platform, art fair and auction (the "Services").

Where we decide the purpose or means for which personal information you supply is processed, we are the "data controller" i.e. the entity responsible for handling your personal information in line with the requirements of UK data protection law.

If you have any questions or comments about this privacy notice, please contact us via telephone:

Telephone: United Kingdom: +44 7946 489371

Email: lara@south-south.art

South South is committed to protecting and respecting your privacy. This privacy notice aims to make all those who interact with us, visitors, customers, members, supporters and suppliers, aware of the information that South South may hold about you, how it uses it, and what associated legal rights you have.

We comply with General Data Protection Regulations (GDPR) when dealing with your personal data. Further details on GDPR can be found on the website of the Information Commission (www.ico.org.uk).

2. WHAT PERSONAL INFORMATION DOES SOUTH SOUTH COLLECT ABOUT ME?

We collect and process the following data from you which may include your personal information.

a. Information provided by you when using our Services

You may give us information about you by filling in forms when using or purchasing our Services, attending events and exhibitions, signing up to our newsletter or contacting us with enquiries. Such information may include any of the following:

1. Identity and contact data: including your name, username, address, telephone number and e-mail address; and

2. Profile Data: including artwork information, artworks owned, requested, offered, reserved, purchased, consigned and details of artwork invoices.

b. Payment Information

In order for you to use all the functions of our Services we may collect payment information from you including your credit card number and bank account details.

c. Automated Interactions

As you interact with our website, we may automatically collect technical data about your equipment, browser type, time zone settings, browsing actions and patterns. We collect this personal information by using cookies and other similar technologies. We use this information for our internal system administration, to administer our website, and to monitor and improve the user experience. For further details, please see more on cookies below.

South South will collect information about you only insofar as this is lawful and appropriate for one or more of the purposes described in section 3 below.

3. WHAT DOES SOUTH SOUTH USE MY PERSONAL INFORMATION FOR AND DOES UK DATA PROTECTION LAW PERMIT IT TO USE MY PERSONAL INFORMATION AS DESCRIBED?

UK data protection law specifies a limited number of grounds on which an organisation is permitted to handle personal information. This is known as the "legal basis for processing". South South is required to inform you which of these grounds it relies on. South South uses the information about you, which is described above, to the extent lawful and appropriate, for one or more of the following purposes and legal grounds:

a. Contract - Providing our services to you as a prospective or existing client

We legally use and retain your personal information where we need to perform the contract we are about to enter into or have entered into with you, such as:

- For registering you as a new client; and
- Keeping track of contractual agreements;

b. Legitimate Interests in circumstances where these interests are not outweighed by the need to protect your privacy, for example:

- Providing you with information and updates about our Services and upcoming exhibitions and events.

c. Compliance with a Legal Obligation - we use and retain your

information for fulfilling our legal and accounting obligations e.g. for tax matters, anti-money laundering, insurance purposes, fraud prevention and in the event of actual and potential legal claims. This may involve disclosing your personal information to third parties as described in section 6 below.

d. Consent - if South South cannot lawfully handle your personal information on these or other permitted grounds, it may need to rely on having your consent in order to be able to do so. This might be the case where you have agreed to receive email updates from the South South (see section 5 below) or if we are dealing with personal information which falls into so-called "special categories", which cover information that the law considers to be inherently sensitive, such as that relating to race/ethnicity, political opinions, health, religious or similar beliefs, sex life and biometrics.

Please note that you may withdraw consent at any time after you have given it. This would not affect the lawfulness of South South's prior use of that information. In certain situations, however, withdrawing consent might impact on our ability to offer you a specific service.

4. WHERE DOES SOUTH SOUTH GET MY PERSONAL INFORMATION FROM?

South South typically obtains the information directly from you for example:

- when you express an interest in our platform to one of our staff or representatives;

- when you attend an event;

- when you purchase an artwork;

- when you subscribe to receive news about upcoming events;

- when you follow us on social media; or

- when you ask us to send you information, including about artists and their works.

However, depending on your circumstances and relationship with South South, we may obtain it from a broad range of sources including:

- word of mouth
- when someone introduces you to us (e.g. because they believe an artist or work may interest you)
- websites where you have made information about yourself publicly accessible e.g. Instagram and LinkedIn, art platforms, publicly available resources such as newspaper articles, exhibition catalogues, public auction results.

5. DOES SOUTH SOUTH USE YOUR PERSONAL INFORMATION FOR MARKETING PURPOSES?

We use various forms of marketing to provide you with promotional materials about our Services either because it is in our legitimate interests to do so e.g. where you have previously requested/received Services, or consent where you have not previously requested or received Services but have provided your details or asked to be contacted by the South South.

South South does not sell or rent your personal information to third parties for their own marketing purposes.

6. DOES SOUTH SOUTH DISCLOSE MY PERSONAL INFORMATION TO THIRD PARTIES?

We will share your personal information amongst us e.g. for administrative ease and because we offer similar products and services so that you do not miss out on our global offerings and Services.

We also share your personal information with third parties "Data Processors" to carry work out on our behalf, such as to provide logistical support and payment processing services. Where relevant, we have and will put in place, appropriate contracts with them to require them to comply with data protection laws, to process only for the purposes we specify, and ensure they implement appropriate controls to keep your personal information secure. If you would like to find out more about how the third parties listed in this notice use your information, please refer to their respective privacy notices.

7. COOKIES

We process cookies to understand how visitors use our website and to compile reports on website activity.

This processing is necessary for us to pursue our legitimate interest in improving our website and providing a more relevant service to our customers. This information is not used to develop a personal profile of you.

8. WHAT RIGHTS DO I HAVE CONCERNING MY PERSONAL INFORMATION?

You have the right to ask South South to:

- (1) provide a copy of your personal information (subject to the data protection rights of other people), as well as the type of information provided in this privacy notice;
- (2) correct any inaccuracies or incompleteness in your personal information;
- (3) modify or withdraw your consent for the collection, use and disclosure of your personal information (see section 3e above);
- (4) delete your personal information where there is no lawful justification for South South to retain it;
- (5) put the processing of your personal information on hold until South South responds to a claim by you that the data is inaccurate or that South South's legitimate interests in processing it is outweighed by your interests in the information not being processed; and
- (6) transfer your personal information to you or another company in a commonly used electronic format (known as the right to data portability).

You also have the right to object to the processing of your information, including for profiling purposes, where South South does this:

- (1) for the purposes of its legitimate interests or those of a third party; or
- (2) on the basis that it is acting in the public interest; or
- (3) for direct marketing purposes.

If you lodge an objection on the last of these three grounds South South will simply stop processing your personal information for marketing purposes (and any associated profiling). In the other two cases South South will stop processing the relevant information unless it identifies compelling legitimate grounds for the processing which override your rights and interests, or else South South needs to process the information in connection with a legal claim.

9. MAKING A COMPLAINT TO THE ICO

If you are unhappy with the way South South is processing your Personal information, please let us know.

Alternatively, if you do not agree with the way we have processed your information or responded to your concerns, you have a right to submit a complaint to the UK's Information Commissioner (the ICO).

10. DATA RETENTION

We will hold your personal information on our systems for as long as is necessary for the relevant service or as required by law, or for accounting or regulatory purposes.

11. CHILDREN

We do not knowingly solicit data from or market to children under the age of 18. If a parent or guardian becomes aware that his or her child has provided us with information without their consent, he or she should contact us at lara@south-south.art. We will delete such information from our files without undue delay.

12. SECURITY

We will take all reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information.

Please be aware that, although we endeavour to provide reasonable security for information we process and maintain, no security system can prevent all potential security breaches.

All our staff and data processors who have access to, and are associated with the processing of, personal information is legally obliged to respect the confidentiality of the personal information of our visitors, email subscribers, members, shoppers, supporters, and all those who engage with us.

13. CHANGES TO THIS NOTICE

We will update this privacy notice from time-to-time to take account of South South's evolving needs and developments in the law. We will notify you of any significant changes to this privacy notice by email, a prominent notice on the

website or account message.

14. INTERNATIONAL DATA TRANSFERS

Where we transfer your data outside of the UK and European economic area in respect of the transfer to the above affiliates, we have agreements in place with those parties which include standard data protection clauses adopted by a data protection regulator and approved by the European Commission to ensure that appropriate safeguards are in place to protect your Personal information. If you would like to find out more about these safeguards, please let us know by writing to lara@south-south.art.

This privacy notice was last updated on 12 October 2020.

The following is our Privacy Policy specifically in relation to any online auction hosted by South South and should be read in conjunction with the TERMS AND CONDITIONS OF BUSINESS AND RULES OF AUCTION

AUCTION SPECIFIC PRIVACY POLICY: THE GDPR AND PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013

Terms defined in the Terms of Business shall bear the same meaning when used in this Privacy Policy.

1. INFORMATION SOUTH SOUTH MAY COLLECT AND PROCESS

- 1.1. South South may use and store the following:
 - 1.1.1. any information received, whether it be from the completion of online forms for registration purposes or otherwise, from any Bidder, Buyer or Seller (including documents filled out in person by any Bidder, Buyer or Seller);
 - 1.1.2. information required to send out marketing material;
 - 1.1.3. any data received from the making of a bid or the posting of any material to South South;
 - 1.1.4. any information received from correspondence between South South and any Bidder, Buyer or Seller, whether it be by e-mail or otherwise;
 - 1.1.5. information received for the purpose of research, including by conducting surveys;
 - 1.1.6. information received from telephone communications, in person or otherwise in carrying out any transaction and/or Auction;
 - 1.1.7. general information from the receipt of any hard copy documents in respect of the date of birth, name, address, occupation, interests, credit information (if required by South South) and any further personal information of any Bidder, Buyer or Seller obtained by South South during the course of conducting its business;
 - 1.1.8. details received from the completion of any contract of sale between South South, the Bidder, Buyer and/or Seller;
 - 1.1.9. details from the visits made to South South's website and any resources/information accessed therein;
- 1.2. the aforesaid data shall not be supplied and distributed to any third person without the consent of the relevant Bidder, Buyer or Seller unless such supply or distribution is required under law or is reasonably necessary for South South to ensure performance of any and all of their obligations under the Terms of Business. Therefore, South South shall only use the data collected for internal purposes;
- 1.3. personal information, whether private or public, shall not be sold, exchanged, transferred, or provided to any other company for any reason whatsoever without the relevant Bidder, Buyer or Seller's consent, other than for the express purpose of effecting the collection of any purchased Lot. This will not include trusted third parties, who assist South South in operating the website, conducting business or servicing the website. All such persons agree to keep the aforesaid personal information confidential; and
- 1.4. the release of any relevant Bidder, Buyer or Seller's personal information if any shall be done only in circumstances which South South deems fit and necessary to comply with the law or enforce its Terms of Business and/or to protect third parties' rights, property or safety.

2. ONLINE INFORMATION PROCESSED BY SOUTH SOUTH

- 2.1. South South may collect and store information relating to a Bidder, Buyer or Seller's ("User") computer, including its IP address, operating system and browser type, in order to assist South South with their systems administration from the use of the website and previous transactions with them;
- 2.2. Cookies (a text file stored on the website's servers) may be placed on South South's website to collect the information from each User pursuant to:
 - 2.2.1. incorporating each User's preference and customising the website,

business accordingly;

2.2.2. improving customer services;

2.2.3. the acceleration of searches;

2.2.4. automatically storing information relating to the most visited links;

2.2.5. sending updated marketing information (where the User has consented to the receipt thereof).

A User has the option to not accept cookies by selecting such option on his/her browser. If a User does so, it may restrict the use of certain links on the website. The sole purpose of the aforesaid cookies is to collect information about South South's website and not gather any personal information of the User.

3. STORAGE OF PERSONAL INFORMATION

3.1. South South shall do all such things reasonably necessary to ensure that the security and privacy of all personal information received, is upheld - whether it be from a bid made, a Lot which is purchased or where personal information is stored, recalled or accessed from South South's servers and/or offices. This will include the implementation of measures creating an electronic firewall system, regular virus scanning mechanisms, security patches, vulnerability testing, regular backups, security checks and recovery mechanisms and any other such mechanisms that is reasonably necessary to ensure the protection of personal information.

3.2. South South shall ensure that all employees are sufficiently trained in the use of South South's systems to ensure that the protection of all databases containing any personal information is maintained.

3.3. Any information relating to, but not limited to, any personal information, account details and personal addresses of any Bidder, Buyer or Seller shall be encrypted and only accessible by limited authorised personnel and stored either on an electronic server or in a safe area on the premises of South South.

Each individual with such authorisation shall ensure that all personal information remains confidential and is protected in the manner contemplated in this Privacy Policy.

3.4. After the sale of a Lot, any credit card and EFT details shall not be stored by South South.

3.5. South South does not send out e-mails requesting the account details of any Bidder, Buyer or Seller. South South shall not be liable for any loss suffered as a result of any fraudulent e-mails sent to any Bidder, Buyer or Seller by any third parties or related fraudulent practices by third parties (including the unauthorised use of South South's trademarks and brand names) in order to mislead any prospective Bidder, Buyer or Seller into believing that such third party is affiliated with South South; and

3.6. South South may send out e-mails in respect of payment for any registration fees (if applicable) and/ or payment with respect to the purchase of a particular Lot placed on Auction.

4. AMENDMENTS TO THE PRIVACY POLICY

South South may, from time to time, in its sole discretion, amend, cancel or rescind any provision of this Privacy Policy by publication of any such amended version (whether on its website or by any other means whatsoever). It is the responsibility of any Bidder, Buyer or Seller to ensure that they are aware, understand and accept these changes before conducting business with South South.

5. THIRD PARTY WEBSITES

Any links on the website to third party websites are independent of this Privacy Policy. Any third party's Privacy Policy is separate and South South shall not be liable for any information contained therein.