BAG LEARNING
In the bag

Bag Learning Privacy Policy

Effective Date: 14 May 2024

1. Introduction

Bag Learning (Pty) Ltd ("Bag Learning", "we", "us", "our") is committed to protecting your privacy and handling your personal information responsibly and transparently. This Privacy Policy explains how we collect, use, disclose, and safeguard your personal information when you use our website, platform, and related services (collectively, the "Service").

This Policy is designed to comply with the requirements of the South African Protection of Personal Information Act 4 of 2013 ("POPIA").

By using the Service, you agree to the collection and use of information in accordance with this Policy.

2. Responsible Party and Information Officer

The responsible party (entity determining the purpose and means of processing your personal information) is: **Bag Learning (Pty) Ltd**

We have appointed an Information Officer who is responsible for overseeing compliance with POPIA. You can contact our Information Officer with any questions or concerns regarding this Policy or your personal information: **Information Officer:** Brett Geyser **Email:** brett@baglearning.com

3. What Personal Information We Collect

We collect personal information directly from you and automatically through your use of the Service. The types of personal information we may collect include:

- **Account Information:** Name, email address, password (hashed), university affiliation, student status.
- **Payment Information:** Billing details necessary to process payments via our payment processor (Paystack). We do not store your full credit card details.

- **Input Information:** Academic materials, notes, documents, prompts, and other content you voluntarily upload or provide to the Service ("Input"). This may inadvertently include personal information contained within these materials. You should avoid uploading unnecessary personal or sensitive information.
- **Personalization Information:** Responses you provide to questionnaires or settings used to personalize your study experience.
- **Usage Data:** Information about how you interact with the Service, such as features used, time spent, pages viewed, clicks, and actions taken.
- **Technical Data:** IP address, browser type and version, device type and operating system, referring URLs, approximate location (derived from IP address), date and time stamps of access. (Collected via standard server logs and our analytics provider, Plausible).
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- **Communications:** Records of communications when you contact us for support, provide feedback, or submit a refund request.

4. How We Use Your Personal Information (Purpose Specification)

We use your personal information only for specific, explicit, and legitimate purposes related to providing and improving the Service, as required by POPIA (Condition 3). These purposes include:

- **Providing the Service:** To create and manage your account, process your Input, generate Output, provide personalized features, and deliver the core functionality of the Service.
- **Processing Payments:** To process subscription fees and manage billing through Paystack.
- **Processing Refunds:** To verify eligibility and process refunds according to our Pricing and Refund Policy.
- **Communication:** To send you important service-related notices (e.g., account verification, technical updates, security alerts, changes to terms/policies), respond to your support requests, communicate about refund requests, and solicit feedback (you can opt-out of non-essential communications).
- **Personalization:** To tailor the Service features and content based on your preferences and inputs.
- **Platform Improvement:** To analyze usage patterns (using aggregated or anonymized data via Plausible Analytics) to understand how the Service is used, identify areas for improvement, fix bugs, and enhance user experience.
- **Security and Fraud Prevention:** To monitor for and prevent fraudulent activity, security incidents, violations of our Terms and Conditions, and abuse of our Refund Policy.
- **Legal Compliance:** To comply with applicable laws, regulations, legal processes, or governmental requests.

IMPORTANT: We do NOT use your Input or Output to train our own or third-party artificial intelligence models. Your content is processed solely to provide the Service back to you.

5. Lawful Basis for Processing

We process your personal information based on the following lawful grounds under POPIA (Condition 2):

- **Contractual Necessity:** Processing necessary to perform our contract with you (i.e., the Terms and Conditions, including the Pricing and Refund Policy) and provide the Service you requested (e.g., account creation, generating Output from Input, processing payments and refunds).
- **Consent:** Where required, such as for sending optional marketing communications or using certain types of non-essential cookies (we prioritize privacy-preserving analytics). You can withdraw your consent at any time.
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- **Legitimate Interests:** Processing necessary for our legitimate interests, provided these do not override your rights and interests. This includes processing for security purposes, internal analytics for service improvement, and fraud/abuse prevention. We conduct balancing tests where relying on this basis.
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- **Legal Obligation:** Processing necessary to comply with our legal obligations under South African law.

6. Data Sharing and Third-Party Service Providers (Operators)

We do not sell your personal information. We may share your personal information with trusted third-party service providers ("Operators") who process data on our behalf to help us operate and provide the Service. These Operators are contractually obligated under POPIA (Section 21) to implement appropriate security measures and process your information only for the purposes we specify.

Our key Operators include:

- **Authentication:** Clerk (manages user login and authentication)
- **Frontend Hosting:** Vercel
- **Backend Hosting:** Fly.io
- **Database & Storage Hosting:** Supabase
- **Payment Processing:** Paystack
- **AI Processing:** Google AI (processes Input to generate Output via API)
- **Web Analytics:** Plausible Analytics (provides privacy-focused website usage statistics)
- **Infrastructure/DNS:** Cloudflare

We may also disclose information if required by law, subpoena, or other legal process, or if we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud or abuse, or respond to a government request.

7. Data Security

We take the security of your personal information seriously and implement appropriate, reasonable technical and organizational measures to protect it against unauthorized access, disclosure, alteration, loss, or destruction, as required by POPIA (Condition 7). These measures include:

- Encryption of data in transit (e.g., using TLS/SSL) and at rest.
- Access controls to limit access to personal information to authorized personnel based on job function.
- Regular security assessments and software updates.
- Secure development practices.

However, no method of transmission over the Internet or electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

8. Data Retention

We retain your personal information only for as long as necessary to fulfill the purposes for which it was collected, including providing the Service, processing refunds, complying with our legal obligations (e.g., financial record-keeping for 5 years), resolving disputes, and enforcing our agreements (POPIA Condition 3).

Account information and related usage data will generally be retained while your account is active and for a reasonable period thereafter to allow for account reactivation or to address potential disputes or refund claims (e.g., up to 12 months post-inactivity or resolution of any outstanding issues), unless a longer period is required by law. Input materials are processed transiently to generate Output and are not stored long-term unless necessary for specific support or troubleshooting requested by you. Once personal information is no longer required for its specified purpose, it will be securely deleted or anonymized.

9. Your Data Subject Rights under POPIA

Under POPIA (Condition 8), you have the following rights regarding your personal information:

- **Right of Access:** Request confirmation of whether we hold personal information about you and request a copy of that information.

- **Right to Rectification:** Request correction of inaccurate or incomplete personal information.
- **Right to Erasure:** Request deletion of your personal information under certain circumstances (e.g., data no longer necessary, consent withdrawn, processing unlawful).
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- **Right to Object:** Object to the processing of your personal information based on legitimate interests or for direct marketing purposes.
- **Right to Restrict Processing:** Request the limitation of processing under specific conditions.
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- **Right to Withdraw Consent:** Withdraw your consent at any time where processing is based on consent (this does not affect the lawfulness of processing before withdrawal).

To exercise any of these rights, please contact our Information Officer at **brett@baglearning.com**. We will respond to your request within a reasonable time after verifying your identity.

10. Cross-Border Data Transfers

Some of our third-party service providers (e.g., Google AI, Clerk, hosting providers) may be located or process data outside of South Africa. When we transfer your personal information internationally, we ensure that adequate safeguards are in place to protect your data in accordance with POPIA requirements (Condition 9). This may include transferring data to countries deemed adequate by South African authorities, using approved standard contractual clauses, or relying on binding corporate rules.

11. Cookies and Tracking Technologies

We use cookies and similar technologies (like those used by Plausible Analytics) to operate and improve the Service, understand usage patterns, and ensure security. Cookies are small data files stored on your device. We primarily use essential cookies for functionality (like keeping you logged in) and security, and privacy-focused analytics that do not rely on cross-site tracking or extensive personal data collection. For more details on the specific cookies used, please refer to our. You can usually manage cookie preferences through your browser settings.

12. Children's Privacy

The Service is not intended for or directed at individuals under the age of 18. We do not knowingly collect personal information from children under 18. If we become aware that we have collected personal information from a child under 18, we will take steps to delete such information promptly.

13. Updates to this Privacy Policy

We may update this Privacy Policy from time to time to reflect changes in our practices or for legal or regulatory reasons. We will notify you of any material changes by posting the new policy on our website, updating the "Effective Date" at the top, and potentially via email. We encourage you to review this Policy periodically.

14. Complaints

If you have concerns about how we are handling your personal information, please contact our Information Officer first at **brett@baglearning.com**. You also have the right to lodge a complaint with the South African Information Regulator: **The Information Regulator (South Africa)** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001 P.O. Box 31533, Braamfontein, Johannesburg, 2017 **Complaints email:** complaints.IR@justice.gov.za **General enquiries email:** inforeg@justice.gov.za **Website:** https://inforegulator.org.za/