W TECHNICAL CONSULTING SA (PTY) LTD

Terms of Service

Version 2.0

Document Control

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1. Introduction

These Terms of Service govern access to and use of websites, platforms, products, training, software, content and services provided by W Technical Consulting SA (Pty) Ltd. By accessing or using the services, the user agrees to these terms, any applicable proposal, order form, service agreement or client contract, and applicable policies referenced in these terms.

2. Eligibility and Accounts

- Users must be legally capable of entering into a binding agreement.
- Users must provide accurate account information and keep it updated.
- Users are responsible for keeping account credentials secure.
- The Company may suspend or terminate access where accounts are used unlawfully, fraudulently or in breach of these terms.

3. Acceptable Use

- Do not use the services for unlawful, harmful, abusive, discriminatory or infringing purposes.
- Do not interfere with service operation, security or availability.
- Do not attempt unauthorised access, scraping, reverse engineering, malware distribution or credential harvesting.
- Do not upload or share content that infringes rights, breaches confidentiality or violates applicable law.

4. Services and Availability

The Company will use reasonable efforts to provide the services in accordance with applicable agreements. Services may be updated, changed, suspended or discontinued where necessary for security, maintenance, operational, legal or commercial reasons.

5. Client and User Content

Users retain ownership of their content. Users grant the Company the limited rights required to host, process, support, secure and provide the services. Users are responsible for ensuring they have the right to upload or process content through the services.

6. Intellectual Property

The Company and its licensors retain ownership of all Company software, templates, content, documentation, trademarks, branding and other intellectual property unless expressly agreed otherwise in writing.

7. Fees and Payment

Fees, billing cycles, payment terms, taxes and renewal terms are set out in the applicable proposal, quotation, invoice, order form or contract.

8. Privacy and Data Protection

Personal information is processed in accordance with the Company Privacy Policy, POPIA, applicable data protection laws and any applicable data processing terms.

9. Confidentiality

Each party must protect confidential information received from the other party and may use it only for the purpose for which it was disclosed, unless disclosure is required by law or authorised in writing.

10. Disclaimers

Except as expressly agreed in writing, services are provided on a reasonable skill and care basis and without warranties that they will be error-free, uninterrupted or suitable for every specific purpose.

11. Limitation of Liability

To the maximum extent permitted by law, the Company is not liable for indirect, incidental, special or consequential losses, loss of profits, loss of data or business interruption, except where liability cannot lawfully be excluded.

12. Governing Law

Unless a separate written agreement states otherwise, these terms are governed by the laws of the Republic of South Africa.

13. Changes to Terms

The Company may update these terms from time to time. Continued use of the services after the effective date of updated terms constitutes acceptance of the updated terms.

Review

This document is reviewed periodically and updated where there are material changes to the Company, its records, processing activities, legislation, regulatory guidance or contact details.

References

- Protection of Personal Information Act 4 of 2013
- Promotion of Access to Information Act 2 of 2000
- Information Regulator guidance and forms
- ISO/IEC 27001 good practice controls
- Company PAIA Manual
- Company POPIA Manual