Complete Legal & Compliance Policies Pack

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Section 1: Terms and Conditions of Sale

Document Reference: DOC-FNM-TC-2026 | Effective Date: 2026

1. Agreement & Operating Entity

These Terms and Conditions ("Terms") govern your access to and purchases made on **https://fungusnomore.co.za** ("the Website"). The Website and the **Fungus No More™** brand are owned and operated by **Hygienical (Pty) Ltd trading as Higiene**, a private company duly registered in the Republic of South Africa.

By browsing the Website, adding items to your shopping bag, or completing an online checkout, you agree to be bound by these Terms and Conditions in accordance with the South African Electronic Communications and Transactions Act, No. 25 of 2002 (**ECTA**) and the Consumer Protection Act, No. 68 of 2008 (**CPA**).

2. Product Range & Specifications

Higiene formulates and distributes antimicrobial and antifungal personal hygiene skincare products, including:

- **Fungus No More™ Sea Breeze Shower Gel (500 ml)** — Daily whole-body antimicrobial botanical wash.
- **Fungus No More™ Pomegranate Shower Gel (500 ml)** — Antioxidant-rich daily antifungal body and foot wash.
- **Fungus No More™ Coconut Antifungal Spray (50 ml)** — Targeted leave-on botanical spray for feet, nails, and skin folds.
- **Value Packs & 3-in-1 Complete Regimen Bundles** — Synergistic multi-product hygiene packs.

3. Pricing, Currency & Payment Security

- **South African Rand (ZAR):** All product and shipping prices displayed on the Website are quoted in South African Rand (ZAR).
- **PCI-DSS Level 1 Payment Processing:** All online payments are processed securely via **Payfast by Network** (Merchant ID: 25036133) using 256-bit SSL encryption and 3D Secure authentication.
- **Accepted Payment Methods:** Visa, Mastercard, Instant EFT (ABSA, Capitec, FNB, Nedbank, Standard Bank, TymeBank), Capitec Pay, SnapScan, and Masterpass.
- **Zero Card Data Retention:** Higiene never views, stores, or retains customer credit or debit card details on its servers.

4. Topical Skincare Usage & Medical Disclaimer

Fungus No More™ formulations are designed strictly for external topical personal hygiene and cosmetic care. Avoid direct contact with eyes, mucous membranes, or deep open wounds. In the unlikely event of localized skin sensitivity, discontinue use immediately and consult a medical practitioner or pharmacist.

5. Intellectual Property Rights

All trademarks, brand names (including *Higiene™*, *Fungus No More™*, and *"Love The Skin You're In."*), bottle trade dress, graphics, photographs, and text on https://fungusnomore.co.za are the exclusive property of Hygienical (Pty) Ltd and may not be reproduced without written authorization.

6. Governing Law & Statutory Disclosures (ECTA Section 43)

These Terms are governed by and construed in accordance with the laws of the Republic of South Africa. Full statutory disclosures under Section 43 of ECTA are provided in the footer below.

Section 2: Privacy Policy & POPIA Compliance Notice

Document Reference: DOC-FNM-PP-2026 | Effective Date: 2026

This Privacy Policy outlines how **Hygienical (Pty) Ltd trading as Higiene** ("Higiene", "we", "us", or "our") collects, uses, protects, and discloses personal information in strict compliance with the South African Protection of Personal Information Act, No. 4 of 2013 (**POPIA**).

> **Zero Credit Card Storage Guarantee:** Higiene never sees, stores, or retains your credit or debit card numbers. All cardholder payment processing is handled exclusively through 256-bit encrypted channels by our PCI-DSS Level 1 certified gateway partner, **Payfast by Network**.

2. Personal Information We Collect

We collect only the minimum personal information necessary to process your order, dispatch your parcel, and provide customer support:

- **Identification Details:** First name and surname.
- **Contact Information:** Mobile phone number (required for courier contact and PUDO Smart Locker SMS OTP collection PINs) and email address.
- **Delivery Destination:** Physical street address (for Door-to-Door courier) or your nominated PUDO Smart Locker terminal.
- **Transaction Records:** Order reference number, purchased product SKUs, order value, and Payfast payment status confirmation.

3. Lawful Purpose of Processing

Your personal information is processed exclusively for legitimate operational and legal purposes:

- Packing and dispatching your Fungus No More™ skincare order.
- Generating electronic courier waybills with The Courier Guy / PUDO / Bob Go.
- Transmitting automated live tracking links and 6-digit locker collection PINs via SMS and email.
- Providing customer care, order support, and skincare regimen assistance.
- Complying with South African tax (SARS) and accounting record-keeping laws.

4. Third-Party Sharing & Confidentiality

We never sell, rent, or trade customer personal data. Information is shared strictly with essential fulfilment partners:

- **Logistics & Locker Partners:** The Courier Guy / PUDO (recipient name, mobile number, and delivery destination).
- **Payment Processor:** Payfast by Network (for encrypted payment verification).

5. Data Security & Your Rights Under POPIA

As a Data Subject under POPIA, you have the right to request access to the personal information we hold about you, request correction or deletion of inaccurate records, or object to processing at any time by contacting our Information Officer at **sales@higiene.co.za** or **+27 (0)74 704 3506**.

Section 3: Refund and Returns Policy

Document Reference: DOC-FNM-RR-2026 | Effective Date: 2026

1. Statutory Consumer Protection Compliance

Our Refund and Returns Policy is drafted in full compliance with Sections 20, 55, and 56 of the South African **Consumer Protection Act, No. 68 of 2008 (CPA)** and Section 44 of the **Electronic Communications and Transactions Act, No. 25 of 2002 (ECTA)**.

2. Damaged, Defective, or Incorrect Items (100% Free Replacement or Refund)

- **Quality Inspection:** Every bottle is sealed with a tamper-evident safety band and inspected prior to dispatch.
- **48-Hour Notification Window:** If your parcel arrives damaged in transit, leaking, defective, or contains an incorrect item, please notify us within **48 hours of receipt** via WhatsApp (**+27 (0)74 704 3506**) or email (**sales@higiene.co.za**) with a clear photo of the item and outer carton.
- **Immediate Remedy:** We will immediately dispatch a brand-new replacement at **100% our expense** (including courier fees), or issue a **100% full refund** according to your preference.
- **6-Month CPA Warranty:** In accordance with CPA Section 56, all products carry a statutory 6-month implied warranty of quality against manufacturing or formulation defects.

3. 30-Day Voluntary Returns & Exchanges (Unopened Products)

- **30-Day Return Window:** You may return any unused, unopened product in its original retail condition with the **tamper-evident hygiene shrink seal completely intact** within **30 calendar days** of delivery for a full refund or exchange.
- **Return Shipping:** For voluntary change-of-mind returns of non-defective goods, return courier or PUDO locker drop-off costs (R70.00 S&H) are borne by the customer.

> **Public Health & Hygiene Protection Rule (CPA Section 20(3)(a)):** Because Fungus No More™ Shower Gels and Antifungal Sprays are topical personal hygiene products, items whose tamper-evident safety shrink seal has been broken, opened, or partially used cannot be returned for change-of-mind refunds unless proven defective.

4. Refund Processing Method & Bank Settlement Timelines

- **Verification:** Once your returned parcel arrives at our depot (or once photo evidence of transit damage is approved), our team confirms approval within **24 business hours**.
- **Payment Reversal Channel:** Approved refunds are processed back to your original payment method via Payfast (Card reversal) or direct Electronic Funds Transfer (EFT) into your nominated South African bank account.
- **Clearing Timeline:** Refunds reflect in your bank account within **5 to 7 business days** depending on standard South African inter-bank clearing cycles.

Section 4: Shipping Policy

Document Reference: DOC-FNM-SP-2026 | Effective Date: 2026

1. Nationwide South African & International Shipping Coverage

Hygienical (Pty) Ltd trading as Higiene ships nationwide across all nine provinces of the Republic of South Africa (servicing metropolitan centres, regional towns, and over 1,400 PUDO Smart Locker terminals) as well as internationally via Bob Go / Aramex Global.

2. Order Processing & Dispatch Turnaround

- **Same/Next-Day Dispatch:** Orders confirmed before 14:00 SAST on business days (Monday to Friday, excluding South African public holidays) are packed and dispatched within **24 business hours**.
- **Weekend & Holiday Orders:** Orders placed after 14:00 on Friday, over the weekend, or on a public holiday are prioritized for dispatch on the next business morning.
- **Protective Liquid Packaging:** All 500 ml Shower Gel bottles and 50 ml Spray bottles feature tamper-evident shrink seals over the dispensing caps and are packed in double-walled corrugated shipping cartons with internal shock protection.

3. Shipping & Handling Rates & Free Shipping Threshold

Shipping Service	Orders Under R449.00	Orders R449.00 & Above	Logistics Partner
PUDO Smart Locker Collection (S&H)	R70.00 Flat Rate (Box Included)	**FREE (R0.00)**	PUDO / The Courier Guy
Door-to-Door Courier Delivery (2–4 Days)	R110.00 Flat Rate	**FREE (R0.00)**	The Courier Guy / Bob Go
Remote & Outlying Areas	R165.00 Standard	**R65.00 (Subsidized)**	National Road Freight
International Express Courier (5–10 Days)	R495.00 Standard	**R495.00 (Up to 2 kg)**	Bob Go / Aramex Global

4. Waybill Generation & Live Tracking

As soon as your parcel is scanned by the courier, you will receive an automated notification via SMS, WhatsApp, or Email containing your official **Waybill Number** and a live tracking link so you can monitor your shipment in real time from our depot to your doorstep or locker.

Section 5: Delivery Policy

1. Delivery Methods & Transit Timeframes

Higiene offers two convenient fulfilment channels across South Africa: direct **Door-to-Door Courier Delivery** and 24/7 **PUDO Smart Locker Collection**, plus International Express Courier via Bob Go / Aramex.

Delivery Zone	Estimated Transit Time	Primary Coverage Areas
Zone 1: Local Metros	1–2 Business Days	Johannesburg, Pretoria, Centurion, Midrand, George & Garden Route Hub
Zone 2: National Metros	2–3 Business Days	Cape Town, Durban, Gqeberha (Port Elizabeth), Bloemfontein, East London
Zone 3: Regional Hubs	3–4 Business Days	Polokwane, Nelspruit (Mbombela), Rustenburg, Kimberley, Pietermaritzburg, Knysna
Zone 4: Remote & Outlying	4–6 Business Days	Rural districts, outlying agricultural towns, and non-metro postal codes

2. Door-to-Door Courier Delivery Terms

- **Delivery Hours:** Courier deliveries occur between **08:00 and 17:00, Monday to Friday** (excluding public holidays) to the street address provided at checkout.
- **Proof of Delivery:** Upon arrival, the courier driver may request the recipient's name or a digital signature/OTP to confirm safe handover.
- **Missed Deliveries:** If no one is available at the address, the driver will phone the mobile number on the waybill to arrange a second delivery attempt or redirect the parcel to your nearest PUDO Smart Locker.

3. PUDO Smart Locker Collection Terms

- **Automated SMS PIN:** The moment the courier places your parcel inside your selected PUDO Smart Locker, an automated SMS and Email containing your secret **6-digit Collection PIN** is sent to you.
- **Collection Window:** You have **36 to 72 hours** to collect your parcel at your convenience (most lockers operate 24 hours a day, 7 days a week).
- **Uncollected Locker Parcels:** If a parcel is not collected within the locker holding window, it is returned to the nearest courier depot. Re-dispatch to the locker or an alternate address may incur a R70.00 re-shipping fee.

4. Passing of Risk (CPA Compliance)

In accordance with the South African Consumer Protection Act, Higiene bears full risk of loss or damage to the goods during transit until the parcel is physically delivered to your nominated address or unlocked by you at your chosen PUDO Smart Locker.

Section 6: Cancellation Policy

Document Reference: DOC-FNM-CP-2026 | Effective Date: 2026

1. Order Cancellation Overview

Hygienical (Pty) Ltd trading as Higiene provides a transparent, fair, and customer-friendly Cancellation Policy in accordance with the South African Consumer Protection Act (CPA) and the Electronic Communications and Transactions Act (ECTA).

2. Cancellation Before Courier Dispatch (100% Free & Instant)

- **Zero Penalty:** You may cancel your order at any time **prior to courier dispatch** for a **100% full refund** (including all shipping charges) with zero cancellation or administration fees.
- **How to Cancel Instantly:** Send a WhatsApp message to **+27 (0)74 704 3506** or email **sales@higiene.co.za** with your Order Reference Number and the word *"CANCEL"*.
- **Immediate Reversal:** Our team will halt dispatch immediately and initiate your full payment reversal within 24 business hours.

3. Cancellation After Dispatch & 7-Day Cooling-Off Right (ECTA Section 44)

- **Statutory 7-Day Cooling-Off Period:** In terms of **Section 44 of ECTA**, consumers have the right to cancel an online transaction without penalty within **7 (seven) calendar days** after receiving the goods.
- **Orders Already in Transit:** If your parcel has already been handed over to The Courier Guy / PUDO when you decide to cancel, you may either refuse delivery when the courier arrives or return the unopened parcel to us within 7 days of receipt.
- **Return Direct Cost:** As stipulated under Section 44(2) of ECTA, the direct cost of returning the unopened goods to our depot (R70.00 S&H via PUDO Locker or courier) is the responsibility of the customer.

> **Hygiene & Safety Seal Requirement:** Because Fungus No More™ products are topical personal hygiene formulations, post-delivery cancellations under the cooling-off period require that the product's **tamper-evident shrink safety seal remains completely unbroken and unused**.

4. Refund Settlement for Cancelled Orders

All approved order cancellations are refunded directly to the original payment method (Payfast Card reversal or EFT) and clear within **5 to 7 business days**.

Merchant & Legal Entity: Hygienical (Pty) Ltd trading as Higiene / Fungus No More™ (Republic of South Africa)
Official Website: https://fungusnomore.co.za | **Support Email:** sales@higiene.co.za / fungusnomore@gmail.com | **WhatsApp** / **Phone:** +27 (0)74 704 3506
Physical Address: 8 Ferox Street, Aloe Park, Albertinia, 6695, South Africa | **Payment Partner:** Payfast by Network (Merchant ID: 25036133)