

GENERAL PRIVACY STATEMENT

ASSOCIATION OF DEBT RECOVERY AGENTS (NPC)

Registration No: 1993/006877/08

(hereinafter referred to as “ADRA”, “our”, “we”, “us”)



YOUR CONTINUED MEMBERSHIP OF ADRA, USE OF ADRA SERVICES, PROVISION OF SERVICES TO ADRA AND/OR, IN ANY OTHER MANNER PROVIDING PERSONAL PROTECTED INFORMATION TO ADRA, INDICATES THAT YOU HAVE READ, UNDERSTOOD AND, ACCEPT THE PROVISIONS CONTAINED IN THIS STATEMENT.

1 Introduction

- 1.1 ADRA serves as a voluntary professional association of business entities with a vested interest in the debt recovery and interests associated therewith.
- 1.2 ADRA recognises its’ Constitutional duty to respect and protect the privacy of protected Personal Information of all its stakeholders and, aligns itself with, and actively supports the objectives of the Protection of Personal Information Act and statutory instruments relevant thereto (jointly referred to as “POPIA”). In furtherance of the ADRA objectives aforesaid, ADRA publishes this Privacy Notice to ensure transparency to all stakeholders and data subjects as to the manner in which ADRA upholds the statutory conditions for the lawful processing of Personal Information.
- 1.3 This Statement sets out the manner in which we process Personal Information as defined in POPIA (“PI”), and includes personal and special PI, that you disclose to us or which we collect from third parties. Such personal information is herein after jointly referred to as “PI”.
- 1.4 In delivering our products/carrying out our services, we will use and process Personal Information in accordance with this Statement and applicable law.
- 1.5 Whilst we try to balance our legitimate business interests with your reasonable expectation of privacy and, take all reasonable measures to prevent unauthorised processing, access to, or disclosure of your PI, **it is not reasonably possible to guarantee that your PI will be 100% secure.**

2 How this Statement applies to you

- 2.1 This Statement will apply whenever you or your authorised representative submit PI to ADRA, which will include (but is not limited to) when you direct complaints of misconduct against ADRA members for investigation; direct enquiries, requests and/or instructions to ADRA; apply for and/or renew your ADRA membership; participate in market research; provide a service to ADRA; browse our website, mobile sites and software applications or engage with us or any of our services including instances where your PI is submitted to us through or by a third party authorised thereto. (collectively referred to as “Services”).
- 2.2 Your continued engagement with ADRA in whatever form, including but not limited to the instances stated above, indicates that you (which may include any representative acting on your behalf) have both read and consented to the terms of this Privacy Statement and hereinafter you shall be referred to as “you”, “your or “user”).
- 2.3 If you do not agree to any of the provisions of this Statement, you should not submit any PI to ADRA. However, if you do not consent to this Statement, or any parts thereof, we may not be able to provide you with our services.

3 Scope of our Processing

3.1 *What we Collect*

In execution of our purpose, we may collect information which, on its own or together with other information, allows you to be identified, including but not limited to:

- (a) should you be a legal/business entity, your registered and trading name/s, registration number, registered and physical address/es, contact particulars across all mediums, information relevant to your registration and standing with industry regulators and general industry reputation (where applicable), your tax numbers, bank account particulars, particulars identifying your key personnel/officials,
- (b) if you are a natural person, your name, identity number, physical/postal addresses, telephone number/s, e-mail address, internet domain address and, sensitive and/or special categories of PI including your image.

Take care that, where you submit PI to ADRA, you are to ensure that the PI you submit is only what is requested and/or required for the purpose for which it is submitted and, that the PI is accurate, complete and not excessive for the purpose for which you submit PI to ADRA.

3.2 *How we Collect*

- 3.2.1 You may provide PI to us either directly or indirectly (through an agent or intermediary) or through completing a membership application/renewal form or, requesting information and/or assistance, provision or receipt of services to or from ADRA, whether in writing, through our website, over the telephone or any other means.

- 3.2.2 We may also collect your PI from your appointed agent, any regulator, or other third party that may hold such information.
- 3.2.3 In the instance of membership applications/renewals and, complaints or enquiries, we may verify information provided and/or required for such purpose with third parties.

3.3 *How we Use PI*

- 3.3.1 We may collect, use, transfer or process your PI:
 - (a) to provide and perform our Services to you and to improve or evaluate the effectiveness of ADRA, its services or offerings;
 - (b) to respond to, investigate and comply with your instructions, complaints or requests;
 - (c) to operate, develop and manage our website/other platforms;
 - (d) for security (including fraud and crime prevention), administrative, auditing, operational, marketing and legal or regulatory purposes (which will include complying with any law enforcement agency requests and/or requests from SARS and/or its agents etc);
 - (e) in conjunction with third parties for reasons set out in this Statement or where it is unlawful to do so;
 - (f) outside of the Republic of South Africa, in accordance with applicable law, including for cloud storage and payment purposes and the use of any of our websites;
 - (g) for market research purposes;
- 3.3.2 If you are an ADRA member, we may contact you for market research relevant to the debt recovery industry and/or related fields of general industry interest; products and offerings available to the ADRA membership or specific affiliates or subsidiaries, which we believe may be of interest to you and/or which serves the best interest of the ADRA membership and, we may do so by email, phone, text or other electronic means.

3.4 *Disclosure of PI*

- 3.4.1 Your PI may be disclosed to ADRA's affiliates, subsidiaries, authorised employees and/or officials, agents, sub-contractors and selected third parties who process the information on our behalf.
- 3.4.2 We may also disclose your PI to third parties where such disclosure is inherent or necessary for the purposes recorded in clause 3.3 above.
- 3.4.3 Wherever these persons are located outside of the country and your PI is transferred cross-border, we will adhere to applicable laws, including that the recipient of such PI is subject to similar PI protective legislation or industry standards and best practices.

- 3.4.4 In disclosing PI and any other information which an ADRA member considers intellectual property and/or confidential, in addition to the provisions contained herein, ADRA will deal with such information in terms of its constitution.

3.5 **Security**

We do maintain and constantly review our security measures in line with legal and technological developments and best practises.

3.6 **Retention**

- 3.6.1 We may store your PI in any format and may do so physically or on a central or on a separate database. If the location of the central database is in a country that does not have substantially similar data protection laws, we will take all legally mandatory required steps to ensure that your PI is adequately protected.
- 3.6.2 We may retain your PI indefinitely, unless you object thereto, in which case we will only retain it if we are permitted or required to do so for the purpose for which it is collected and in terms of applicable law. However, generally, we will not retain your PI for longer than is necessary to achieve our stated objectives or for the periods required by applicable law.
- 3.6.3 Where the purpose for which PI is retained is fulfilled, your information may be depersonalised and retained for statistical and research purposes.

4 **Your Rights**

- 4.1 As a data subject to whom PI pertain, you have certain rights, including the right to:
- (a) request access to your PI stored and processed by us. This may be done by emailing us at the address referred to in clause 5 below.
 - (b) correct/rectify your PI that we hold in instances where such PI is incorrect and/or incomplete;
 - (c) erase/delete destroy PI where such request is justified or where there is no legitimate purpose for us to keep processing such PI;
 - (d) to restrict/suspend the processing of PI to only that which is strictly necessary for us to render our services. Please note that this right is limited in certain situations, such as, when we process your PI we collected from you with your consent, you can only request restriction on the basis of: (a) inaccuracy of data; (b) where you suspect that our processing is unlawful and you don't want your PI erased for purposes of investigating and/or proving such alleged unlawful processing; (c) you require such information in support of a legal claim; or (d) if we no longer need to use the data for the purposes for which we hold it. When processing is restricted/suspended, we may still retain your information, but may not process such PI for purposes other than for what it is restricted/suspended;
 - (e) to complain- if we breach any of the terms of this Privacy Statement or the statutory conditions of processing PI, you have the right to direct such complaint to us, which we are compelled to investigate and rectify where justified and to

direct such enquiry/complaint to the requisite data protection authority in South Africa (**contact particular appears in clause 11 below**);

(f) to withdraw your consent at any time, if the processing of the PI is based on consent and such withdrawal is justified;

(g) to object to the processing of PI for direct marketing, subject to the provisions referred in 3.3.

4.2 The exercise of these rights is free of charge.

5 Complaints

5.1 You have the right to lodge a complaint with ADRA regarding the processing of your PI by addressing such complaint in writing to the contact particulars provided herein.

5.2 Receipt of written complaints will be acknowledged within three (3) working days from date of receipt thereof. Dependent upon the nature of the complaint, the further process and timeline to manage and resolve your complaint will be provided to you in writing at your selected postal or electronic address together with the acknowledgement of receipt of your complaint.

5.3 The outcome of your complaint will be communicated to you in writing and, should any action have been taken in accordance with your complaint, proof of such action will be provided to you in so far as reasonably possible.

5.4 If you are not satisfied with how we manage/d your complaint and/or the outcome thereof, you may further escalate your complaint to the Information Regulator (RSA) or authority in the applicable and relevant country which has jurisdiction. Where a request for further assistance is received as to where to direct such escalation too, we will within reason provide such assistance.

6 Indemnity and liability

6.1 Without derogating from any other limitations of liability or indemnifications agreed to between us, in agreeing to the provisions of this Statement, you hereby unconditionally agree to indemnify us against any liability that may result from the processing of your PI, including any loss, damage or injury arising from any inaccurate or incomplete PI provided to us by you and/or any third party and/or any unintentional disclosure of your PI to any unauthorised persons.

6.2 We use every effort to update your PI wherever held but it is your duty to inform us in writing immediately when any of your PI should change in any manner and, we do not accept any liability for any consequences, including damages or incidental damages, which might arise from our processing of such PI, if any information provided by you or on your behalf is excessive for the purpose for which you provide it, incorrect, inaccurate, incomplete or outdated.

7 Log Files

When you visit the ADRA's Website, we may collect information, such as your IP address, the name of your ISP (Internet Service Provider), your browser, the website from which you visit us, the pages on our Website that you visit and in what sequence,

the date and length of your visit, and other information concerning your computer's operating system, language settings, and location. This information is aggregated and anonymous data and does not identify you as person. However, you acknowledge that this data may be able to be used to identify you if it is aggregated with other PI that you supply to us. This information is not shared with third parties and is used only within the company on a need-to-know basis. Any individually identifiable information related to this data will never be used in any way different to that stated above, without your explicit permission.

8 Cookies

8.1 We use cookies. A cookie is a small piece of information stored on your computer, smart phone or device by the web browser for record-keeping purposes. The two types of cookies used on the Website are as follows:

8.1.1 "Session cookies": which are used to maintain a so-called 'session state' and only last for the duration of your use of the website. A session cookie expires when you close your browser, or if you have not visited the server for a certain period of time. Session cookies are required for the Platform to function optimally but are not used in any way to identify you personally.

8.1.2 "Permanent cookies": These cookies permanently store a unique code on your computer or smart device in order to be able to identify you as an individual user. No PI is stored in permanent cookies. You can view and edit permanent cookies by looking in the cookies' directory of your browser installation. These permanent cookies are not required for the website to work but may enhance your browsing experience.

9 Third Party Links on the Website

The ADRA website may contain links to other third-party websites. We are not responsible for the acts, content or privacy policies of these third parties.

10 Amendment of this Statement

10.1 This Statement and/ or any of the documents associated herewith will be amended from time to time as we improve and amend policies and procedures and technical security measures as required by law or for operational requirements.

To the extent permitted by applicable law, any such amendment will come into effect and become part of any agreement you might have with ADRA immediately upon notice being given of such amendment/s by publication of the amended Statement on our website and, where appropriate, notification to you by e-mail. It is your responsibility to check the website often.

11 Contact Particulars

All communication with ADRA, including enquiries, instructions and complaints referred to herein, must be directed to our Deputy Information Officer at info@adraonline.co.za.

The office of the Information Regulator can be contacted at complaints.IR@justice.gov.za.

Registered Address: 1163Haarhof Street East

Moregloed, Pretoria

Website: <https://www.adraonline.co.za>
