Privacy Notice

Smit Debt Counselling CC | Registration No. 2009/165833/23 | NCRDC1067 | Last updated: 10 October 2022

Plain language purpose	This notice explains how Smit Debt Counselling collects, uses, stores and shares personal information when providing debt counselling and debt review services.

1. Introduction

Smit Debt Counselling CC ("Smit Debt Counselling", "we", "us" or "our") provides debt counselling and debt review services to individuals and businesses who need assistance with over-indebtedness.

This Privacy Notice explains how we process personal information in terms of the Protection of Personal Information Act, 4 of 2013 (POPIA). We aim to collect and use personal information lawfully, fairly, securely and only for proper business and legal purposes.

2. Personal information we collect

The personal information we collect depends on the enquiry, assessment or service being provided. It may include:

- **Contact details:** name, surname, telephone number, email address and physical or postal address.
- **Identity and reference information:** identity number, registration number, account references and supporting documents where required.
- **Financial information:** employment status, income, expenses, bank details, credit provider balances, payment history and information needed to assess or administer debt review.
- **Website information:** standard visitor information and cookies where these are used by our website.

3. How we collect personal information

Most personal information is collected directly from you when you contact us, complete a form, send documents, communicate by email or WhatsApp, or make an enquiry through the website. Where possible, we will tell you which information is required and which information is optional.

We may also receive or verify information through relevant parties involved in the debt review process, including credit providers, credit bureaux, payment distribution agencies, regulators, legal service providers and administrative service providers where this is necessary and lawful.

4. Why we use personal information

We use personal information only for the purpose for which it was collected, or for a compatible lawful purpose. This includes:

- responding to enquiries and communicating with you;
- assessing whether debt counselling or debt review is suitable;
- preparing, negotiating and administering a debt review proposal;
- liaising with credit providers, credit bureaux, payment distribution agencies and other required parties;

- meeting legal, regulatory, accounting and record-keeping obligations; and
- protecting our systems, records, clients and business operations.

5. Lawful grounds for processing

We process personal information only where POPIA allows it. The lawful grounds may include:

- your consent, including where a competent person consents on behalf of a child;
- steps required before entering into a contract, or performance of a contract with you;
- compliance with a legal obligation;
- protection of your legitimate interests;
- performance of a public law duty, where applicable; and
- our legitimate interests or the legitimate interests of a third party to whom the information is supplied.

6. Sharing of personal information

We share personal information only where necessary and lawful. This may include sharing relevant information with credit providers, credit bureaux, the National Credit Regulator, payment distribution agencies, courts, legal representatives, service providers and other parties needed to provide or administer the service.

Any person or organisation that receives personal information from us must treat it with an appropriate level of confidentiality, privacy and security.

7. Storage, security and retention

Personal information is stored securely in locked physical files and in password-protected electronic files. We take appropriate technical and organisational steps to protect information against unauthorised access, loss, damage, alteration or disclosure.

We keep personal information only for as long as it is needed for the purpose for which it was collected, or for as long as the law requires. When information is no longer required, it is destroyed or deleted securely so that it is not reasonably accessible or retrievable.

8. Your data protection rights

You may ask us to:

- confirm whether we hold personal information about you;
- provide access to your personal information, subject to applicable legal limits and any prescribed fees;
- correct or supplement personal information that is inaccurate, incomplete or out of date;
- delete or destroy personal information where the law allows this; and
- object to certain processing or withdraw consent, where applicable.

Requests should be sent to the Information Officer at **martie@smitdc.co.za**. We aim to respond to requests within one month, unless the law allows or requires a different period.

9. Information Officer and contact details

Information Officer	Martie Smit
Entity	Smit Debt Counselling CC
Address	45 Nassau Street, Bothasig, Cape Town, 7441
Telephone	021 558 5491
Email	martie@smitdc.co.za
Website	www.smitdc.co.za

10. Complaints

If you are concerned about how we use your personal information, please contact us first at **martie@smitdc.co.za** so that we can address the matter.

You may also lodge a complaint with the Information Regulator (South Africa) if you are not satisfied with how your personal information has been handled.

Information Regulator	Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg, 2191
POPIA complaints	POPIAComplaints@inforegulator.org.za
PAIA complaints	PAIAComplaints@inforegulator.org.za
Website	www.inforegulator.org.za