

XDS Privacy Notice

1. Background

Xpert Decision Systems (Pty) Ltd (“XDS”) is a registered Credit Bureau in terms of the National Credit Act, No 34 of 2005 (“NCA”), with the National Credit Regulator (“NCR”) registration number; NCRCB05, an Associate member of the South African Credit and Risk Reporting Association (“SACRRA”) and a Full member of the Credit Bureau Association (“CBA”).

XDS as an EOH Company is obligated to comply with the EOH Governance requirements which includes alignment to and or adherence to group Privacy Policies amongst other policies.

2. Privacy Commitment

XDS is committed to ensuring that your personal information is processed in accordance with applicable Data Processing Legislation. XDS will take all reasonable measures, through the implementation of appropriate policies, procedures, technology and controls to ensure that your personal information is appropriately secured and protected and processed only for lawful purposes.

3. Information Collection

- 3.1 In some instances, when engaging directly with you, XDS acts as a Responsible Party in terms the Protection of Personal Information Act (“POPIA”) or a Data Controller in terms of the General Data Protection Regulations (“GDPR”). In all other instances XDS may be regarded as a Data Processor or Operator. XDS collects your personal information when you register, with XDS for any service or product provided by XDS. This information may be updated to your personal information as held by XDS.
- 3.2 In terms of the NCA, XDS is authorized to receive, process and store consumer credit information. Personal Information includes consumer credit information.
- 3.3 The NCA also authorizes a credit bureau to receive consumer credit information from the following sources
 - An organ of State, a court or judicial officer
 - Any person who supplies goods, services or utilities to consumers, whether for cash or credit
 - A person providing long terms and short terms insurance
 - Entities involved in fraud investigation
 - Educational Institutions
 - Debt Collectors to whom book debt was ceded or sold by a credit provider
 - Other registered credit bureau
 - The NCR or any source authorized by the NCR
 - A consumer for the consumer to correct or challenge information held by a credit bureau

XDS may also receive the following information about you from yourself or an entity that you may have provided consent to, or an entity that is lawful authorized to access your information or who may lawfully share your information with XDS.

Individual

- Identity or Passport number
- Name details
- Contact information
- Biometric Information
- Other lawful information that you may have consented to

Juristic

- Registration Number
- Name details
- Contact information
- Financial Information
- Trade References
- Number of Employees
- Personal details of Directors
- Other lawful information that the Juristic has consented to

3.4 XDS may make use of cookies, which may be placed on your computer when you both visit and or register on any XDS website or product site. A cookie is a small piece of information sent by a web server to a web browser, which enables the server to collect information back from the browser.

3.4.1 XDS cookies may be used for the following for the following purposes:

- To enable certain features and functions on websites, e.g. remembering user-id, favourite channel selections, browsing and other service preferences;
- To build up a profile of how users experience the website;
- To improve the efficiency of XDS's website;
- To administer services to users and advertisers; and
- To establish usage statistics.

3.4.2 Most internet browsers provide users with the option of turning off the processing of cookies (please see the "help" section of the browser), but this may result in the loss of functionality, restrict use of the website and/or delay or affect the way in which it operates.

3.4.3 Advertisements on the XDS website may be provided by third party advertisers and their agencies. These may generate cookies to track how many people have seen a particular advertisement (or use the services of third parties to do this), and to track how many people have seen it more than once. XDS does

not control these third parties and their cookie policies and therefore is not responsible for the Personal Information policies (including Personal Information protection and cookies), content or security of any third party websites linked to the Website.

3.5 XDS may also collect information that your browser sends whenever you visit XDS websites. This information may include information such as your computer's Internet Protocol ("IP") address, browser type, browser version, and the pages of the XDS website that you visit, the time and date of your visit, the time spent on those pages and other statistics.

4. Information Use and disclosure

4.1 Use and Disclosure as per NCA

4.1.1 The NCA provides the purposes for which XDS may release consumer credit information. In addition to the NCA, XDS will adhere to processing obligations embodied in POPIA and GDPR. In terms of the NCA, a credit bureau may release consumer credit information for the following purposes: -

- an investigation into fraud, corruption or theft, provided that the South African Police Service or any other statutory enforcement agency conducts such an investigation;
- fraud detection and fraud prevention services;
- considering a candidate for employment in a position that requires honesty in dealing with cash or finances;
- an assessment of the debtor's book of a business for the purposes of (i) the sale of the business or debtors book of that business; or (ii) any other transaction that is dependent upon determining the value of the business or debtors book of that business;
- setting a limit of in respect of the supply of goods, services or utilities;
- assessing an application for insurance;
- verifying educational qualifications and employment;
- obtaining consumer information to distribute unclaimed funds, including pension funds and insurance claims;
- tracing a consumer by a credit provider in respect of a credit agreement entered into between the consumer and the credit provider;
- developing a credit scoring system by a credit provider or credit bureau;
- an affordability assessment in respect of a consumer, as required by Section 81 of the Act;
- a credit assessment in respect of a consumer, as required by section 81 (2) of the Act;
- investigating an application for debt review made by a consumer
- a contemplated or permitted purpose as may be envisaged by the NCA

4.1.2 XDS may update your XDS credit bureau records with the personal information you provide or which is provided

4.1.3 XDS may use the information you provide to maintain contact with you in terms of

- Any queries that you may have lodged with XDS
- Keeping you informed about new developments on or any changes to the services you may have access.

- 4.1.4 XDS may process your information as may be allowed in terms of POPIA.
- 4.1.5 XDS may process your personal information for the provision of marketing services when requested to do so by third parties to whom you have provided consent to.
- 4.2 XDS may use cookies to identify you when you access a XDS website and to build up a demographic profile of its users.
- 4.3 XDS may use your Personal Information
- 4.3.1 to contact you with newsletters, marketing or promotional materials and other information or
 - 4.3.2 to conduct market research and surveys to enable XDS to understand and determine customer location, preferences and demographics in order to develop special offers and marketing programmes, and to improve our service delivery and customer experience;
 - 4.3.3 to provide additional products, services and benefits to users, which include promotions, loyalty and reward programmes from XDS;
 - 4.3.4 to match Personal Information with other data collected for other purposes and from other sources (including third parties) in connection with the provision, marketing or offering of products and services;
 - 4.3.5 To administer contests, competitions and marketing campaigns, and personalize user experience;
 - 4.3.6 To communicate advertisements involving details of XDS's products and services, special offers and rewards, either to general customers, or to communicate advertisements which XDS has identified as being of interest to specific users (this includes but is not limited to upselling, cross selling and telemarketing);
- 4.4 In relation to particular products and services or user interactions, XDS may also specifically notify users of other purposes for which personal information is collected, used, or disclosed.
- 4.5 Users have a choice to withdraw consent for receiving marketing or promotional materials/communication from XDS. Users may contact XDS Information Officer: informationofficer@xds.co.za to request the withdrawal
- 4.6 Once XDS receives confirmation that a user wishes to withdraw consent for marketing or promotional materials/communication, it may take up to 30 (thirty) working days for the withdrawal to be effected. Therefore, users may continue to receive marketing or promotional materials/communication during that period of time. In may be noted that even upon withdrawal of consent for the receipt of marketing or promotional materials, XDS may still contact users for other purposes in relation to the products and services accessed by users or subscriptions to XDS.

5. Cross Border transfer

- 5.1 XDS may transfer your personal information to another country for storage and processing provided that the country has equivalent or better data protection laws in order to adequately protect your personal information.
- 5.2 XDS shall transfer your personal information on a processing request originating from a XDS Client located outside of the Republic of South Africa, should you have consented to such processing or if shall processing is in accordance with Data Processing legislation.

6. Information Retention

- 6.1 XDS will retain your personal information in accordance with any retention legislation relating to such personal information.
- 6.2 Consumer Credit Information will be retained in accordance with the National Credit Act
- 6.3 Personal Information including but not limited to Biometric information will be retained with your consent for as long as you may require the use of this information or the information is to be used for your benefit.
- 6.4 In the absence of any legislation governing a particular type of personal information, XDS shall retain such information for a period of 20 (twenty) years unless (i) you have consented to a longer retention period or (ii) you request the deletion of such personal information, provided that there is no lawful reason for which such personal information must be retained by XDS.
- 6.5 After 20 years your personal information shall be de-identified and archived for audit and investigation purposes.
- 6.6 You may request the deletion of your personal information as per (6.5)(ii) by calling XDS on 011 645 9100 or emailing informationofficer@xds.co.za and using the subject : **Request deletion**.
- 6.7 You will be required to provide proof of identity as may be determined by XDS and to follow XDS procedures related to your request.

7. Your rights in terms of your personal information use and disclosure

7.1 Right to access your personal information:

- You may request, free of any charge, for XDS to confirm if it has personal information on you.
 - XDS can provide your personal information in the form of a credit report
 - You can make your request by calling XDS on 0860 937 000 or emailing informationofficer@xds.co.za and using the subject : **Data subject access request**.
 - You may also request your credit report by registering on www.splendi.co.za
 - You will be required to provide proof of identity as may be determined by XDS and to follow XDS procedures related to your request.
- Once you have received your personal information as above and or should you require the detail of any other personal information that XDS retains, you should complete Form 1 and forward to XDS Call Centre. In accordance with POPIA Section 23 (1)(b), XDS may charge a fee for providing this information and such a request may take up to 20 business days to complete.
- When XDS provides you with this report, XDS will be giving effect to your Right to data portability in terms of GDPR.

7.2 Right to challenge and correct the accuracy of your personal information:

- You may challenge the accuracy of your personal information as held by XDS.
- To lodge a challenge you should complete and email Form 2 to dispute@xds.co.za or alternatively you may call XDS on 0860 937 000 to request that a form be sent to.

- You may also lodge your dispute on www.splendi.co.za , you will however be required to register on this service.
- Your rights to challenge detailed here are equivalent to your Right to rectification as per GDPR
- XDS will give effect to your rights under GDPR with regards to the processing of your personal information provided that there are no applicable exclusions in terms of GDPR.

7.3 **Right to object to processing of your personal information:**

- You may object to the processing of your personal information by not completing a consent form when requested to do, except where the lawful purpose does not require consent.
- You may also withdraw your consent at any time prior to the processing of your information by informing the company to whom you have provided the consent that, you require that the company stop processing your information.
- You may object to the processing of your personal information unless the processing of your personal information is in accordance with any lawful purpose. You can make your request by calling XDS on 0860 937 000 or emailing informationofficer@xds.co.za and using the subject : **Objection to Processing request**.
- You will be required to provide proof of identity as may be determined by XDS and to follow XDS procedures related to your request.

8. **Security**

- 8.1 The security of your Personal Information is important to XDS.
- 8.2 XDS Information Security Policies guides the processing of personal information and ensures that XDS protects your personal information.
- 8.3 The personal information that XDS collects and processes shall be secured by appropriate technical and organizational measures against accidental loss, destruction or damage, and against unauthorized or unlawful processing.
- 8.4 XDS shall regularly evaluate and test the effectiveness of such measures to ensure that they are adequate and effective.
- 8.5 XDS is a responsibility for ensuring the security of personal information processed throughout the performance of its duties.

9. **Changes to this Privacy Notice**

- 9.1 XDS may update or change this Privacy Notice as often as required in order to adequately reflect the processing of personal information by XDS.
- 9.2 You should check this Privacy Notice periodically to access the most recent Privacy Notice

10. Contact Us

If you have any questions about this Privacy Notice, please contact XDS Information Officer:
informationofficer@xds.co.za