

## PRIVACY POLICY

### INTRODUCTION AND PURPOSE OF THIS POLICY

BCM strongly believes in protecting your privacy and the confidentiality of your personal information. In order to explain how BCM collects, uses and protects Personal Information, we have developed this privacy policy. Personal information is any combination of information, in the possession of, or likely to come into the possession of BCM that can be used to identify, contact, or locate a discrete individual, this includes personal information as defined in section 1 of POPIA and the regulations thereto and will be treated in accordance with this Policy. This includes any expression of opinion about such individual. Any information which cannot be used to identify a discrete individual (such as aggregated statistical information) is not Personal Information.

This Policy sets out and describes all the types of Personal Information that BCM may collect about a Data Subject, the purpose for which it is collected, the circumstances in which information may be shared and the steps and safeguards in place in order to protect Personal Information. This Policy is based on the 8 personal information processing principles as outlined in the POPIA.

### DEFINITIONS

The following words and/or expressions shall, unless the content indicates otherwise, bear the meaning assigned to them below and in the POPIA:

- **"BCM"** BCM Management Company Proprietary Limited;
- **"cookie/s"** (also called web cookie, internet cookie, browser cookie, or simply cookie) is a small piece of data sent from a website and stored on the user's computer by the user's web browser while the user is browsing to inter alia remember useful information (such as items added in the shopping cart in an online store) or to record the user's browsing activity;
- **"consent"** means the voluntary, specific and informed expression of will agreeing to the Processing of Personal Information;
- **"Data subject"** means the person to whom Personal information relates;
- **"PAIA"** means the Promotion of Access to Information Act, No 2 of 2000;
- **"Personal Information"** has the meaning ascribed thereto under POPIA and specifically includes any form of information that can be used to identify a Data Subject;
- **"Policy"** means this privacy policy;
- **"POPIA"** means the Protection of Personal Information Act No. 4 of 2013;
- **"Processing"** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal information, including—
  - o the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
  - o dissemination by means of transmission, distribution or making available in any other form; or
  - o merging, linking, as well as restriction, degradation, erasure or destruction of information;

and "Process" shall have the corresponding meaning;

- **"Regulator"** means the Information Regulator established in terms of POPIA;
- **"Responsible Party"** means BCM, or an Operator, who engages in the act of Processing Personal Information;
- **"Special Personal Information"** means Personal Information concerning:
  - o the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a Data Subject; or
  - o the criminal behaviour of a Data Subject to the extent that such information relates to;
  - o the alleged commission by a Data Subject of any offence; or



- o any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings;
- **"Third Party"** means any independent contractor, agent, consultant, sub-contractor, or other representative of BCM; and
- **"Operator"** means a person who processes Personal Information for or on behalf of BCM in terms of a contract or mandate, without coming under the direct authority of BCM.

## THE PURPOSE OF COLLECTION OF INFORMATION

We collect and process your Personal Information mainly to provide you with access to our services and products, to help us improve our offerings to you and for certain other purposes explained below.

BCM, in its capacity as the Responsible Party, shall strive to observe, and comply with its obligations under POPIA as well as accepted information protection principles, practices and guidelines when it Processes Personal Information from or in respect of a Data Subject.

This Policy applies to Personal Information collected by BCM in connection with the services provided by BCM. This includes information collected directly from you as a Data Subject, as well as information collected indirectly through our service providers who collect your information on our behalf. Such collection will not prejudice your legitimate interests as a Data Subject.

## THE PROCESSING OF PERSONAL INFORMATION

- The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.
- We collect information directly from you where you provide us with your personal details, for example when you purchase a product or services from us or when you submit enquiries to us or contact us. Where possible, we will inform you of what information you are required to provide to us and what information is optional.
- In instances where BCM obtains Personal Information from Third Parties, BCM will ensure that it obtains the consent of the Data Subject to do so or will only Process the Personal Information without the Data Subject's consent where consent has already been provided.
- With your consent, we may also supplement the information that you provide to us with information we receive from other companies.
- Website usage information is collected using "cookies" which allows us to collect standard internet visitor usage information. The main objective of the cookies is to personalise your experience on our webpages.

## HOW WE USE YOUR INFORMATION

We will use your Personal Information only for the purposes for which it was collected or agreed with you, which includes, but is not limited to:

- To provide our products or services to you, to carry out the transaction you requested and to maintain our relationship;
- For underwriting purposes;
- To assess and process claims;
- To conduct credit reference searches or verification;
- To confirm and verify your identity or to verify that you are an authorised user for security purposes;
- For operational purposes, and where applicable, credit scoring and assessment and credit management;
- For purposes of claim checks (e.g. the ASISA Life and Claims Register);
- For the detection and prevention of fraud, crime, money laundering or other malpractice;
- For debt tracing or debt recovery;



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- To conduct market or customer satisfaction research or for statistical analysis;
- For audit and record keeping purposes;
- In connection with legal proceedings.
- We will also use your Personal Information to comply with legal and regulatory requirements or industry codes to which we subscribe, or which apply to us, or when it is otherwise allowed by law.

## DISCLOSURE OF INFORMATION

We may disclose your Personal Information to Operators or Third Parties who are involved in the delivery of products or services to you. We have agreements in place to ensure that they comply with these privacy terms and that it has adequate or equivalent infrastructure and organisational measures in place which are in accordance with accepted industry standards, and that it will Process Personal Information in strict accordance with an issued mandate and specified instructions from BCM only.

We may share your Personal Information with, and obtain information about you from:

- Third Parties for the purposes listed above, for example credit reference and fraud prevention agencies, law enforcement agencies;
- Other insurers to prevent fraudulent claims;
- Other companies, when we believe it will enhance the services and products we can offer to you, but only where you have not objected to such sharing; and
- Other third parties from whom you have chosen to receive marketing information.
- We may also disclose your information:
  - o Where we have your consent;
  - o Where we have a duty or a right to disclose in terms of law or industry codes;
  - o Where we believe it is necessary to protect our rights; and
  - o Where the secondary use or disclosure is related to the main purpose of Processing, in the case of Personal Information which is not Special Personal Information, or is directly related to the main purpose of Processing, in the case of Personal Information which is Special Personal Information

## SPECIAL PERSONAL INFORMATION

- BCM acknowledges that it will generally not Process Special Personal Information unless -
  - o Processing is carried out in accordance with the Data Subject's consent;
  - o Processing is necessary for the establishment, exercise or defence of a right or obligation in law
  - o Processing is for historical, statistical or research purposes, subject to stipulated safeguards and as permitted by POPIA;
  - o Information has deliberately been made public by the Data Subject; or
  - o Specific authorisation applies in terms of POPIA.
- BCM acknowledges that it may not Process any Personal Information concerning a child and will only do so where it has obtained the consent of the parent or guardian of that child or where it is permitted to do so in accordance with applicable laws.

## INFORMATION SECURITY

As the Responsible Party in respect of your Personal Information and we are legally obliged to provide adequate protection for the Personal Information we hold and to stop unauthorised access and use of Personal Information. We will, on an ongoing basis, continue to review our security controls and related processes to ensure that your personal information is secure.



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We hereby confirm that we will take appropriate, reasonable technical and organisational measures to prevent loss of, damage to or authorised destruction of your Personal Information and unlawful access to or Processing of your Personal Information. In the event that we become aware of any unauthorised use of your information, we will notify you thereof.

Our security policies and procedures cover:

- Physical security;
- Computer and network security;
- Access to personal information;
- Secure communications;
- Security in contracting out activities or functions;
- Retention and disposal of information;
- Acceptable usage of personal information;
- Governance and regulatory issues;
- Monitoring access and usage of private information;
- Investigating and reacting to security incidents;
- When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure;
- We may need to transfer your personal information to another country for processing or storage. We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

## ACCURACY OF PERSONAL INFORMATION

- BCM will take reasonable steps to ensure that all Personal Information is kept as accurate, complete and up to date as reasonably possible depending on the purpose for which Personal Information is collected or further Processed.
- A Data subject is however required to notify BCM from time to time in writing if any updates are required in relation to his/her/its Personal Information.

## STORAGE OF PERSONAL INFORMATION

- BCM may store your Personal Information in hardcopy format and/or in electronic format using BCM'S own secure on-site servers or other internally hosted technology. Your Personal Information may also be stored by Third Parties, via cloud services or other technology, with whom BCM has contracted with, to support BCM's operations.
- BCM's third Party service providers, including data storage and processing providers, may from time to time also have access to a Data Subject's Personal Information in connection with purposes for which the Personal Information was initially collected to be Processed.
- BCM will ensure that such Third Party service providers will Process the Personal Information in accordance with the provisions of this Policy, all other relevant internal policies and procedures and POPIA.

## RETENTION OF PERSONAL INFORMATION

- BCM may keep records of the Personal Information, correspondence, or comments it has collected in an electronic or hardcopy file format.
- In terms of POPIA, BCM may not retain Personal Information for a period longer than is necessary to achieve the purpose for which it was Processed and is required to delete, destroy (in such a way that it cannot be reconstructed) or de-identify the information as soon as is reasonably practicable once the purpose has been achieved.
- This prohibition will not apply in the following circumstances -
  - o where the retention of the record is required or authorised by law or by any Government authority



- o BCM requires the record to fulfil its lawful functions or activities;
- o Retention of the record is required by a contract between the parties thereto;
- o The Data Subject (or competent person, where the Data Subject is a child) has consented to such longer retention; or
- o the record is retained for historical, research, archival or statistical purposes provided safeguards are put in place to prevent use for any other purpose. Accordingly, BCM will, subject to the exceptions noted in this Policy, retain Personal Information for as long as necessary to fulfil the purposes for which that Personal Information was Processed and/or as permitted or required by applicable laws.

## PERSONAL INFORMATION TO THIRD PARTY SERVICE PROVIDERS

- BCM may disclose Personal Information to Third Parties and will enter into written agreements with such Third Parties to ensure that they Process any Personal Information in accordance with the provisions of this Policy, and the POPIA.

## ACTUAL OR PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

Personal Information may be transmitted transborder to BCM's authorised suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa. BCM will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

## FAILURE TO PROVIDE PERSONAL INFORMATION

In instances where an employer or service provider is obliged to collect Personal Information by law, failure to provide the information may have negative consequences which may affect BCM's obligations as an employer and/or service provider and may result in BCM having to decline providing services, however the affected party will be notified accordingly.

## YOUR RIGHTS: ACCESS, OBJECTION AND CORRECTION AND DELETION

### Access

You have the right to request a copy of the Personal Information we hold about you. We will take all reasonable steps to confirm your identity before providing details of your personal information. Please note that any such access request may be subject to a payment of a legally allowable fee. In order to request access to Personal Information, a data subject may do so in accordance with PAIA and BCM's PAIA manual.

### Objection and correcting and deletion

You have the right to request that your Personal Information be corrected or destroyed, or to object to your Personal Information being Processed.

Any objection to processing must be made using Form 1 attached as annexure A to this Policy. Any request for correction or deletion of Personal Information or destruction or deletion of record of personal information must be made using Form 2 attached as annexure B to this Policy.

Any objection or request for correction or deletion must be forwarded by email to BCM's information officer or his or her duly authorised representative.

## CHANGES TO THIS NOTICE

Please note that we may amend this Notice from time to time. Please check this website periodically to inform yourself of any changes.



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## HOW TO CONTACT US

If you have questions about this Notice or believe we have not adhered to it, or need further information about our privacy practices or wish to give or withdraw consent, exercise preferences or access or correct your Personal Information, please contact us at the following numbers/addresses:

Contact Number: 063 596 6795

Email: [insert information officer's email address]

## INFORMATION REGULATOR

You have the right to complain to the Information Regulator, whose contact details are:

[Information Regulator](#)

**Tel:** 012 406 4818 or +27 (0) 10 023 5207

**Email:** [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)



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**FORM 1**

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

[Regulation 2]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

<b>A</b>	<b>DETAILS OF THE DATA SUBJECT</b>
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
<b>C</b>	<b>REASONS FOR OBJECTION OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)</b>

Signed at ..... this ..... day of .....20.....

.....  
*Signature of data subject/ designated person*





**FORM 2**

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 3]

Note:

4. Affidavits or other documentary evidence as applicable in support of the request may be attached.
5. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
6. Complete as is applicable.

Mark the appropriate box with an "x".

**Request for:**

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED





D	<b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or</b> <b>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</b> <i>(Please provide detailed reasons for the request)</i>

Signed at ..... this ..... day of .....20.....

.....  
*Signature of data subject/ designated person*

