

**WHIZDM FINANCE PRIVATE LIMITED**

**Code of Conduct for DSA/DMA & Recovery Agents**

### **Code of Conduct for DSA/DMA & Recovery Agents**

The Reserve Bank of India (“RBI”), vide the ‘Non-Banking Financial Company- Systemically Important Non-Deposit taking Company and Deposit taking Company (Reserve Bank) Directions, 2016’, has prescribed the ‘Directions on Managing Risks and Code of Conduct in Outsourcing of Financial Services by NBFCs’ (“RBI Directions”) and one of requirement under the Directions is that Company needs to have Board approved Code of Conduct for DSA/DMA & Recovery Agents.

Whizdm Finance Private Limited (“Company/Lender”), adopts this code as “Code of Conduct for DSA/DMA & Recovery Agents” which is required to be adhered by DSA/DMA & Recovery Agents. Part A of the Code covers the Code of Conduct for DSA/DMA and Part -B of the Code covers the Code to be followed by Recovery Agents while collecting overdue. Part C of the Code covers the undertaking to be provided by DSA/DMA & Recovery Agents.

The Code shall be reviewed as and when required by the applicable rules and regulations. It may also be reviewed as and when deemed necessary due to the Company’s internal requirements.

**Part- A****Code of Conduct for DSA/DMA****1. PREAMBLE**

Model Code of Conduct for the Direct Selling Agents is non-statutory code issued by Indian Banks' Association, a voluntary association of Banks in India for adoption and implementation by Direct Selling Agents while operating as Agents of Banks and Financial Institutions.

**2. APPLICABILITY**

- 2.1 Upon adoption and inclusion as part of agreement between Lender and Partner, this code will apply to all persons involved in marketing and distribution of any Loan or other financial product of the Lender. Partner and its Tele-Marketing Executives ("TME(s)") and field sales personnel, collectively Business Development Executives ("BDE(s)") must agree to abide by this code prior to undertaking any direct marketing operation on behalf of the Lender. Any TME/BDE found to be violating this code should be blacklisted by the Partner and such action taken be reported to Lender immediately. It is hereby clarified that the only TMEs with holding a valid registration certificate as a 'Registered Telemarketer' from the Department of Telecommunications shall be engaged by the Partner to undertake marketing and distribution of any Loan on behalf of the Lender.

**3. TELE-CALLING CUSTOMER**

- 3.1 A prospect is to be contacted for sourcing a bank product or a bank related product only under the following circumstances:
- (a) When prospect has expressed a desire to acquire a product through the Partner's Platform or is an existing customer of Lender who has given consent for accepting calls on other products of Lender.
  - (b) When the prospect's name/telephone no/address is available and has been taken from one of the lists, directories or databases approved by Partner's manager/team leader, after taking his/her consent. The TME should not call a person whose name/number is flagged in any "do not disturb" list made available to him/her.

**4. WHEN YOU MAY CONTACT A CUSTOMER ON TELEPHONE**

- 4.1 Telephonic contact must normally be limited between 0930 Hrs and 1900 Hrs. However, it may be ensured that a prospect is contacted only when the call is not expected to inconvenience him/her. Calls earlier or later than the prescribed time period may be placed only if the prospect has expressly authorized TME/BDE to do so either in writing or orally.

**5. CAN THE PROSPECT'S INTEREST BE DISCUSSED WITH ANYBODY ELSE?**

The Partner should respect a prospect's privacy. The prospect's interest may normally be discussed only with the prospect and any other individual/family member such as prospect's accountant/secretary/spouse, provided such discussion has been authorized by the prospect.

**6. LEAVING MESSAGES AND CONTACTING PERSONS OTHER THAN THE PROSPECT.**

6.1 Calls must first be placed to the prospect. In the even the prospect is not available; a message may be left for him/her. The aim of the message should be to get the prospect to return the call or to check for a convenient time to call again. Ordinarily, such messages may be restricted to:

- (a) "Please leave a message that (Name of officer) representing the Lender called and requested to call back at (phone number)". As a general rule, the message must indicate "That the purpose of the call is regarding selling or distributing a product of Lender".

**7. NO MISLEADING STATEMENTS/MISREPRESENTATIONS PERMITTED**

7.1 TME/BDE should not-

- (a) Mislead the prospect on any service/product offered.
- (b) Mislead the prospect about their business or organization's name, or falsely represent themselves.
- (c) Make any false/unauthorized commitment on behalf of Lender for any facility/service.

**8. TELEMARKETING ETIQUETTES**

8.1 Pre call:

- (a) No calls prior to 0930 Hrs or post 1900 Hrs unless specifically requested.
- (b) No serial dialing.
- (c) No calling on lists unless list is cleared by a team leader.

8.2 During Call:

- (a) TME must identify himself/herself, his/her company and request permission to proceed.
- (b) If denied permission, TME must apologize and politely disconnect. He/she should state the reason for the call.
- (c) TME must always offer to call back on landline, if call is made to a cell number, and never interrupt or argue.
- (d) To the extent possible, TME must talk in the language which is most comfortable to the prospect, and keep the conversation limited to business matters.
- (e) TME must check for understanding of "Most Important Terms and Conditions" by the customer if he plans to buy the product.
- (f) TME must reconfirm next call or next visit details.
- (g) TME must provide his/her telephone number, supervisor's name or Lender's contact details if asked for by the customer.
- (h) TME must thank the customer for his/her time.

### 8.3 Post Call:

- (a) Customers who have expressed their lack of interest for the offering should not be called for the next 3 months with the same offer, unless they express interest.
- (b) Provide feedback to Lender on customers who have expressed their desire to be flagged “Do Not Disturb”.
- (c) Never call or entertain calls from customers regarding products already sold. TME must advise them to contact the customer service staff of Lender.

## **9. GIFTS OR BRIBES**

TME/BDE’s must not accept gifts from prospects or bribes of any kind. Any TME/BDE offered a bribe or payment of any kind by a customer must report the offer to his/her management.

## **10. PRECAUTIONS TO BE TAKEN ON VISITS/CONTACTS**

- 10.1 Respect personal space- maintain adequate distance from the prospect.
- 10.2 Not enter the prospect’s residence/office against his/her wishes.
- 10.3 Not visit in large numbers- i.e. not more than one BDE and one supervisor, if required. Respect the prospect’s privacy.
- 10.4 If the prospect is not present and only family members to office persons are present at the time of the visit, he/she should end the visit with a request for the prospect to call back. Provide his/her telephone number, supervisor’s name or the concerned bank officer’s contact details, if asked for by the customer.
- 10.5 Limit discussions with the prospect to the business - Maintain a professional distance.

## **11. OTHER IMPORTANT ASPECTS - APPEARANCE & DRESS CODE**

### 11.1 For men this means:

- (a) Well ironed trousers;
- (b) Well ironed shirt, shirt sleeves preferably buttoned down.

### 11.2 For women this means:

- (a) Well ironed formal attire (Saree, Suit etc.); Well-groomed appearance. {Jeans and/or T Shirt, open sandals are not considered appropriate.}

## **12. HANDLING OF LETTERS & OTHER COMMUNICATION**

Any communication sent to the prospect should be only in the mode and format approved by Lender.

**Part- B****CODE OF CONDUCT FOR RECOVERY AGENTS****1. APPLICABILITY**

This code of conduct (“**Code**”) for Recovery Agents (“**RAs**”) will be applicable to all RAs appointed by Lender. The Code shall form part of the agreement between Lender and the Partner. The Partner must agree to abide by this Code prior to undertaking any recovery operation on behalf of Lender. Any RA found violating this Code may be blacklisted and such action taken will be reported to concerned business group by the branches/operating units. For the purposes of this Code, RAs shall include individual agents, agencies, employees of such agencies and any other sub-contractors engaged by the RA undertaking any recovery operation on behalf of the Lender.

**2. WHEN AND WHERE TO CONTACT**

- 1.1. Telephonic contact should be limited to calling between 8:00 a.m. and 7:00 p.m. only or such other timelines as prescribed by RBI, unless the special circumstances of the Customer’s business or occupation demands otherwise and customer has provided consent for same. However, the RA must ensure that a customer is contacted only when the call is not expected to inconvenience him/her.
- 1.2. Customer can be contacted/communicated via messaging and email sent on the official registered phone number/email id.
- 1.3. The Customer would be contacted ordinarily at the place of his choice and in the absence of any specified place, he/she will be contacted at his/her residence in the place of employment/business as the case may be.
- 1.4. In appropriate occasions such as bereavement in the family or such other calamitous occasions would be avoided for making calls/ visits to collect dues.

**3. CAN THE CUSTOMER'S LOAN ARRANGEMENT BE DISCUSSED WITH ANYBODY ELSE?**

- 3.1. RAs should maintain confidentiality pertaining to the Customer. However, the matter may be discussed with his/her family members if Customer has provided consent for the same.
- 3.2. Leaving messages and contacting Persons other than the Customer: Calls must be first placed to the Customer. If the Customer is not available a message should be left for the Customer to return the call or check for a convenient time to call again. Message should be left with his business associate or person(s) representing the Lender and indicate that "xxxxx (Name of the RA/employee of RA) representing xxxxx (Name of the Lender) called and requested to call back at xxxxxxxxxxxx (phone No). The purpose of the call is recovery of Lender's dues."
- 3.3. Code adopted during the call:
  - (a) The RAs will identify himself/herself to the Customer and will apprise him/her of the authority to represent.
  - (b) State reason for call. Provide the Customer with all the information regarding dues and necessary notice be given for enabling discharge of dues.
  - (c) Offer to call back, if the Customer is busy.

- (d) Talk in language which is most comfortable to the Customer.
- (e) Keep conversation limited to business.
- (f) Reconfirm next call or next visit.
- (g) Provide contact numbers (for RAs as well as the Lender).
- (h) Reasonable notice will be given before repossession of security as well as before its realization.
- (i) All assistance will be given to resolve disputes or differences in a mutually acceptable and in an ordinary manner, if any as regards dues.
- (j) Demeanor that suggests criminal intimidation or threat of violence would be scrupulously avoided.

#### **4. GIFTS OR BRIBES**

RAs and/or their employees or authorised representatives will not accept any kind of gift or bribe in any form, including but not limited to cash and kind.

#### **5. OTHERS**

- 5.1 In the event the employee/authorised representative of the Partner is required to visit the Customer for the purpose of recovering the outstanding dues, the Partner must disclose the name and contact details of such employee/authorised representative authorised to visit the Customer to the Customer and/or the Lender upfront.
- 5.2 RA will not accept cash and recoveries will be deposited with the Lender directly, as per the instruction provided.
- 5.3 RA must be appropriately dressed, decorum and decency will be maintained.
- 5.4 RA would resort to only the legally permissible activities during the course of recovery.
- 5.5 The RA must document the time and number of calls and contents of conversation.
- 5.6 The RA must inform the customer of negative consequences of failure to repay the dues in the event that the Customer refuses to repay the Loans granted.
- 5.7 The RA must not retort even if the Customer is aggressive/abusive. If the Customer is threatening, the RA must leave the Customer's place or end the call immediately.
- 5.8 RA shall not make any representations or issue any communications including any legal notices to the Customer on behalf of the Lender without prior written approval from the Lender.
- 5.9 RA shall not resort to intimidation or harassment of any kind, either verbal or physical, against the Customer in its debt collection efforts, including but not limited to:
  - a. acts intended to humiliate publicly or intrude upon the privacy of the Customer or Customer's family members, referees and friends;
  - b. sending inappropriate messages either on mobile or through social media;
  - c. making threatening and/or anonymous calls;
  - d. persistently calling the Customer and/ or calling the Customer before 8.00 am and after 7.00 p.m. for recovery of overdue Receivables; and
  - e. using muscle power for recovery of Receivables.

**Part- C**

**Declaration–Cum-Undertaking**

To,

Whizdm Finance Private Limited

Re: Code of Conduct

Dear Sir/Madam,

I/We am/are working as DSA/DMA/Recovery agents your company .

I/We confirm that in the discharge of my/our duties, I/we am/are obligated to follow the Code of Conduct.

I confirm that I/we have read and understood the Code and agree to abide by the Code of Conduct.

In case of any violation, non-adherence to the said Code, Company shall be entitled to take such action against me/us as Company may deem appropriate.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**Signature**