

PAIA MANUAL

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and incorporates the requirements of the Protection of Personal Information Act, 2013.

This manual applies to

International Debt Control Proprietary Limited

(Registration number: 1996/008100/07)

and its subsidiaries and related companies

(hereinafter 'the Company')

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PAIA AND POPIA MANUAL

PART 1: GENERAL PROVISIONS

1. BACKGROUND

- 1.1 The Promotion of Access to Information Act (Act no. 2 of 2000) ("PAIA") was enacted on 3 February 2000, giving effect to the constitutional right in terms of Section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 ("the Constitution") of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.
- 1.2 The Constitution also recognizes that every person has the right to privacy. In order to protect this right to privacy and specifically the Personal Information of Persons, the Protection of Personal Information Act (Act no. 4 of 2013) ("POPIA") was promulgated. The Company recognizes that it is a Responsible Party in terms of POPIA and is therefore bound by the rules laid down for the Processing of Personal Information.
- 1.3 In terms of Section 51 of PAIA, the Information Officer of a private body is required to ensure that a manual is developed, monitored, maintained and made available as prescribed.
- 1.4 Where a request is made in terms of PAIA, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements, except where PAIA expressly provides that the information may be adopted when requesting information from a public or private body.

2. DEFINITIONS

- 2.1 For purposes of this manual, the following definitions shall apply (and cognate expressions shall have similar meanings) —
- 2.1.1 **"the Company"** means International Debt Control Proprietary Limited (registration number: 1996/008100/07) and its subsidiaries and related companies (if any);

- 2.1.2 **“Child”** means a natural person under the age of 18 (Eighteen) years who is not legally competent, without the assistance of a Competent Person, to take any action or decision in respect of any matter concerning him or herself;
- 2.1.3 **“Competent Person”** means any person who is legally competent to Consent to any action or decision being taken in respect of any matter concerning a Child;
- 2.1.4 **“Consent”** means any voluntary, specific and informed expression of will in terms of which permission is given for the Processing of Personal Information;
- 2.1.5 **“Data Subject”** means the person to whom Personal Information relates;
- 2.1.6 **“De-identify”** means, in relation to Personal Information of a Data Subject, to delete any information that identifies the Data Subject, that can be used or manipulated by a reasonably foreseeable method to identify the Data Subject, or can be linked by a reasonably foreseeable method to other information that identifies the Data Subject;
- 2.1.7 **“Deputy Information Officer”** means the person designated as such in terms of par. 6.8 below, if any;
- 2.1.8 **“Direct Marketing”** means to approach a Data Subject, either in person or by mail or Electronic Communication, for the direct or indirect purpose of promoting or offering to supply, in the ordinary course of business, any goods or services to the Data Subject, or requesting the Data Subject to make a donation of any kind for any reason;
- 2.1.9 **“ECT Act”** means the Electronic Communications and Transactions Act, Act 25 of 2002;
- 2.1.10 **“Electronic Communication”** has the meaning set out in Section 1 of the ECT Act, being communication by means of data messages. **“Data messages”** is defined in Section 1 of ECT Act as meaning data generated, sent, received or stored by electronic means and includes:
- 2.1.10.1 voice, where the voice is used in an automated transaction; and
- 2.1.10.2 a stored Record;

- 2.1.11 “**Information Officer**”, in relation to the Company (being a private body), means the chief executive officer of the Company in terms of Section 1 of PAIA;
- 2.1.12 “**Information Regulator**” means a juristic person established in terms of Section 39 of POPIA, which -
- 2.1.12.1 has jurisdiction through the Republic of South Africa;
- 2.1.12.2 is independent and is subject only to the Constitution and to the law and must be impartial and perform its functions and exercise its powers without fear, favour or prejudice;
- 2.1.12.3 must exercise its powers and perform its functions in accordance with POPIA and PAIA;
- 2.1.12.4 is accountable to the National Assembly;
- 2.1.13 “**Manual**” or “**PAIA Manual**” means this information manual prepared in terms of Section 51 of PAIA, and incorporating the requirements of POPIA;
- 2.1.14 “**Operator**” means a person who Processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct control of that party;
- 2.1.15 “**PAIA**” means the Promotion of Access to Information Act (Act no. 4 of 2013), as amended or re-enacted from time to time including all Schedules thereto and the Regulations;
- 2.1.16 “**Person**” means a natural person or juristic person;
- 2.1.17 “**Personal Information**” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:
- 2.1.17.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health,

- well-being, disability, religion, conscience, belief, culture, language and birth of the Person;
- 2.1.17.2 information relating to the education or the medical, financial, criminal or employment history of the Person;
- 2.1.17.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the Person;
- 2.1.17.4 the biometric information of the Person;
- 2.1.17.5 the personal opinions, views or preferences of the Person;
- 2.1.17.6 correspondence sent by the Person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 2.1.17.7 the views or opinions of another individual about the Person;
- 2.1.17.8 the name of the Person if it appears with other Personal Information relating to the Person or if the disclosure of the name itself would reveal information about the Person;
- 2.1.18 “**Personnel**” means any person who works for, or provides services to, or on behalf of the Company and receives or is entitled to receive remuneration and any other person who assist in carrying out or conducting the business of the Company, including, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers;
- 2.1.19 “**POPIA**” means the Protection of Personal Information Act (Act no. 4 of 2013), as amended or re-enacted from time to time including all Schedules thereto and the Regulations;

- 2.1.20 **“Processing”, “Processed” or “Process”** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:
- 2.1.20.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- 2.1.20.2 dissemination by means of transmission, distribution or making available in any other form;
- 2.1.20.3 merging, linking, as well as restriction, degradation, erasure or destruction of information;
- 2.1.21 **“Public Record”** means a Record that is accessible in the public domain and which is in the possession of or under the control of a public body, whether or not it was created by that public body;
- 2.1.22 **“Record”** means any recorded information:
- 2.1.22.1 regardless of form or medium including any of the following:
- 2.1.22.1.1 writing on any material;
- 2.1.22.1.2 information produced, recorded or stored by means of any tape recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;
- 2.1.22.1.3 label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means;
- 2.1.22.1.4 book, map, plan, graph or drawing;
- 2.1.22.1.5 photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced;

- 2.1.22.2 in the possession or under the control of a Responsible Party;
- 2.1.22.3 whether or not it was created by a Responsible Party;
- 2.1.22.4 regardless of when it came into existence;
- 2.1.23 **“Regulator”** means the Information Regulator established in terms of Section 39 of POPIA;
- 2.1.24 **“Requester”** means any Person, including but not limited to a public body or official thereof, making a request for access to a Record of the Company in terms of this Manual;
- 2.1.25 **“Responsible Party”** means a public or private body or any other Person which, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information;
- 2.1.26 **“Special Personal Information”** means the following Personal Information of a Data Subject, namely religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, biometric information, health, and criminal behaviour, as contemplated in Section 26(a) and (b) of POPIA.

PART 2: PROMOTION OF ACCESS TO INFORMATION

3. THE COMPANY GROUP

- 3.1 The Company conducts business as a debt collector for a variety of retailers, financial institutions and large commercial entities.
- 3.2 This Manual of the Company is available at its premises: 29 Holzgen Street, Brackenhurst, Alberton, 1448 as well as on its website, <https://idccollections.co.za/>.

4. PURPOSE OF THE MANUAL

- 4.1 The purpose of this Manual is to inform persons and entities dealing with the Company and its subsidiaries and related companies of the manner in which:

4.1.1 they may request access to information held by the Company;

4.1.2 their Personal Information will be collected and Processed.

to promote the right of access to information, to foster a culture of transparency and accountability within the Company by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.

4.2 In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and private bodies.

4.3 Section 9 of PAIA recognizes that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

4.3.1 limitations aimed at the reasonable protection of privacy;

4.3.2 commercial confidentiality; and

4.3.3 effective, efficient and good governance; and

4.3.4 in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

4.4 This Manual complies with the requirements of the guide mentioned in Section 10 of PAIA and recognizes that the appointed Information Regulator will be responsible to regulate compliance with PAIA and POPIA and its regulations by private and public bodies.

5. CONTACT DETAILS OF THE MANAGING DIRECTOR [SECTION 51(1)(a) OF PAIA]

Managing Director:	Andre Fourie
Registered Address:	29 Holzgen street Brackenhurst Alberton
Postal Address:	P.O BOX 145226 Bracken Gardens 1452
Telephone Number:	0605053594
Website:	www.idccollections.co.za

6. DETAILS OF THE INFORMATION OFFICER [SECTION 51(1)(b) OF PAIA]

- 6.1 PAIA prescribes the appointment of an Information Officer for private bodies where such Information Officer is responsible to, *inter alia*, assess a request for access to information. The head of a private body fulfils such a function in terms of Section 51.
- 6.2 The Company has appointed an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of PAIA.
- 6.3 The Information Officer appointed in terms of PAIA also refers to the Information Officer as referred to in POPIA. The Information Officer oversees the functions and responsibilities as required in terms of PAIA as well as the duties and responsibilities in terms of Section 55 of POPIA after registering with the Information Regulator.
- 6.4 The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of Section 17 of PAIA as well as Section 56 of POPIA.

6.5 This is in order to render the Company as accessible as reasonably possible for Requesters of its Records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of Section 55 of POPIA.

6.6 All requests for information in terms of PAIA must be addressed to the Information Officer.

6.7 Contact details of the Information Officer:

Information Officer:	Ruan Fourie
Registered Address:	29 Holzgen Street Brackenhurst Alberton 1448
Telephone Number:	0118672999
Email:	ruan@ftinc.co.za

6.8 The Information Officer has further delegated some of his responsibilities to the following Deputy Information Officers, who will be responsible for compliance with POPIA and PAIA in the following business operations:

Deputy Information Officer:	Ntombenhle Cele
Telephone Number:	011 867 2999
Position:	Branch Manager
Email:	mankzn@idcweb.co.za>
Responsible Division;	Durban Branch

Deputy Information Officer:	Hloni Tlhakodi
Telephone Number:	011 867 2999
Position:	Branch Manager
Email:	mangp@idcweb.co.za>
Responsible Division;	Brackenhurst Branch

Deputy Information Officer:	Corne Pienaar
Telephone Number:	011 867 2999
Position:	Branch Manager
Email:	manfs@idcweb.co.za>
Responsible Division:	Welkom Branch

Deputy Information Officer:	Leatitia Nagel
Telephone Number:	011 867 2999
Position:	Branch Manager
Email:	manpar@idcweb.co.za
Responsible Division:	Parrow Branch

Deputy Information Officer:	Siyanda Njili
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Telephone Number:	011 867 2999
Position:	Branch Manager
Email:	manpe@idcweb.co.za
Responsible Division:	Gqeberha Branch

7. GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION [SECTION 51(1)(b) OF PAIA]

7.1 PAIA grants a Requester access to Records of a private body, if the Record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

7.2 Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

7.3 Requesters are referred to the Guide in terms of Section 10 of PAIA which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising constitutional rights. The Guide is available on request from the South African Human Rights Commission.

7.4 The contact details of the South African Human Rights Commission are:

Contact body:	The South African Human Rights Commission
Physical Address:	PAIA Unit 29 Princess of Wales Terrace Corner of York and Andrew Streets, Parktown
Postal Address:	Private Bag 2700, Houghton 2041
Telephone Number:	+27 11 877 3600
E-Mail:	PAIA@sahrc.org.za
Website:	www.sahrc.org.za

8. NOTICE IN TERMS OF SECTION 52(2) OF PAIA (IF ANY) [SECTION 51(1)(c) OF PAIA]

No notice has been published on the categories of Records that are automatically available without a Person having to request access in terms of Section 52(2) of PAIA.

9. CATEGORIES OF RECORDS AVAILABLE ONLY ON REQUEST [SECTION 51(1)(E) OF PAIA]

9.1 RECORDS HELD BY THE COMPANY

This table sets out the categories of information that the Company holds. The information is classified and grouped according to Records relating to the following subjects and categories:

SUBJECT	CATEGORY
Companies Act Records	Documents of Incorporation; Index of names of directors; Memorandum of Incorporation; Minutes of meetings of the Board of Directors; Minutes of meetings of shareholders; Proxy forms; Register of directors' shareholdings; Share certificates; Share Register and other statutory registers and/or Records and/or documents; Special resolutions/resolutions passed at general and special general meetings; Records relating to the appointment of:

SUBJECT	CATEGORY
	Auditors; Directors; Prescribed Officer. Public Officer; and Secretary;
Financial Records	Accounting Records; Annual Financial Reports; Annual Financial Statements; Asset registers; Bank statements; Banking details and bank accounts; Banking Records; Debtors / Creditors statements and invoices; General ledgers and subsidiary ledgers; General reconciliation;

SUBJECT	CATEGORY
	Invoices; Paid cheques; Policies and procedures; Rental Agreements; Tax returns;
Income Tax Records	PAYE Records; Documents issued to employees for income tax purposes; Records of payments made to SARS on behalf of employees; All other statutory compliances: VAT; Regional Services Levies; Skills Development Levies; UIF; Workmen's Compensation;
Personnel Documents and Records	Accident books and Records; Address lists; Disciplinary Code and Records;

SUBJECT	CATEGORY
	Employee benefits arrangements rules and Records; Employment contracts; Employment Equity Plan; Forms and applications; Grievance procedures; Leave Records; Medical aid Records; Payroll reports / Wage register; Pension Fund Records; Safety, Health and Environmental Records; Salary Records; Standard letters and notices; Training manuals; Training Records;
Procurement Department	Standard Terms and Conditions for supply of services and products; Contractor, client and supplier agreements; Lists of suppliers, products, services and distribution; and Policies and Procedures.

SUBJECT	CATEGORY
Sales Department	Customer details; User details; Compliance Officer details; Debit order details; Information and Records provided by a third party;
Marketing Department	Advertising and promotional material
Risk Management and Audit	Audit reports; Risk management frameworks; and Risk management plans;
Safety, Health and Environment	Complete Safety, Health and Environment Risk Assessment; Environmental Managements Plans Inquiries, inspections, examinations by environmental authorities;
IT Department	Computer / mobile device usage policy documentation; Disaster recovery plans; Hardware asset registers; Information security policies/standards/procedures;

SUBJECT	CATEGORY
	Information technology systems and user manuals; Information usage policy documentation; Project implementation plans; Software licensing; and System documentation and manuals.
Corporate Social Responsibility (CSR)	CSR schedule of projects/Record of organisations that receive funding; Reports, books, publications and general information related to CSR spend; Records and contracts of agreement with funded organisations.

Note that the accessibility of the Records may be subject to the grounds of refusal set out in this Manual. Amongst other, Records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before the Company will consider access.

10. RECORDS AVAILABLE WITHOUT A REQUEST TO ACCESS IN TERMS OF PAIA

- 10.1 Records of a public nature, typically those disclosed on the Company website and in its various annual reports, may be accessed without the need to submit a formal application.
- 10.2 Other non-confidential Records, such as statutory Records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such Records will still have to be made with the Information Officer.

11. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION [SECTION 51(1)(d) OF PAIA]

- 11.1 Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, Records that are required to be made available in terms of these acts shall be

made available for inspection by interested parties in terms of the requirements and conditions of PAIA, the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information.

- 11.2 A request to access must be done in accordance with the prescriptions of PAIA.
- 11.3 Where applicable to its operations, the Company retains Records and documents in terms of the legislation below:
- 11.3.1 Auditing Professions Act (Act no. 26 of 2005);
 - 11.3.2 Basic Conditions of Employment Act (Act no. 75 of 1997);
 - 11.3.3 Broad-Based Black Economic Empowerment Act (Act no. 75 of 1997);
 - 11.3.4 Companies Act (Act no. 71 of 2008);
 - 11.3.5 Compensation for Occupational Injuries & Diseases Act (Act no. 130 of 1993);
 - 11.3.6 Competition Act (Act no. 89 of 1998);
 - 11.3.7 Constitution of the Republic of South Africa 1996;
 - 11.3.8 Copyright Act (Act no. 98 of 1978);
 - 11.3.9 Electronic Communications Act (Act no. 36 of 2005);
 - 11.3.10 Electronic Communications and Transactions Act (Act no. 25 of 2002);
 - 11.3.11 Employment Equity Act (Act no. 55 of 1998);
 - 11.3.12 Financial Intelligence Centre Act (Act no. 38 of 2001);
 - 11.3.13 Income Tax Act (Act no. 58 of 1962);
 - 11.3.14 Intellectual Property Laws Amendment Act (Act no. 38 of 1997);
 - 11.3.15 Labour Relations Act (Act no. 66 of 1995);
 - 11.3.16 Long Term Insurance Act (Act no. 52 of 1998);

- 11.3.17 Occupational Health & Safety Act (Act no. 85 of 1993);
 - 11.3.18 Pension Funds Act (Act no. 24 of 1956);
 - 11.3.19 Prescription Act (Act no. 68 of 1969);
 - 11.3.20 Prevention of Organised Crime Act (Act no. 121 of 1998);
 - 11.3.21 Promotion of Access to Information Act (Act no. 2 of 2000);
 - 11.3.22 Protection of Personal Information Act (Act no. 4 of 2013);
 - 11.3.23 Regulation of Interception of Communications and Provision of Communication Related Information Act (Act no. 70 of 2002);
 - 11.3.24 Skills Development Levies Act (Act no. 9 of 1999);
 - 11.3.25 Short-term Insurance Act (Act no. 53 of 1998);
 - 11.3.26 Unemployment Insurance Contributions Act (Act no. 4 of 2002);
 - 11.3.27 Unemployment Insurance Act (Act no. 30 of 1966);
 - 11.3.28 Value Added Tax Act (Act no. 89 of 1991).
- 11.4 Although we have used our best endeavours to supply a list of applicable legislation, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a right of access to a Record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.
- 11.5 The accessibility of documents and Records under the legislation above may be subject to the grounds of refusal set out in this Manual and in PAIA.

12. PROCEDURE TO REQUEST ACCESS TO A RECORD OF THE COMPANY [SECTION 51(1)(E) OF PAIA]

- 12.1 The Requester must comply with all the procedural requirements contained in PAIA relating to the request for access to a Record.
- 12.2 The Requester must complete **FORM C** (*Request for Access to Record of a Private Body*) attached as **Schedule 3**, and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, fax number or electronic mail address as noted in paragraph 6 (*Details of Information Officer*) above.
- 12.3 The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:
 - 12.3.1 the Record or Records requested; and
 - 12.3.2 the identity of the Requester.
- 12.4 The Requester should indicate which form of access is required and specify a postal address of fax number of the Requester in the Republic of South Africa.
- 12.5 The Requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The Requester must clearly specify why the Record is necessary to exercise or protect such a right (Section 53(2)(d) of PAIA).
- 12.6 The Company will Process the request within 30 (Thirty) days, unless the Requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.
- 12.7 The Requester shall be advised whether access is granted or denied in writing. If, in addition, the Requester requires the reasons for the decision in any other manner, the Requester will be obliged to state which manner and the particulars required.

- 12.8 If a request is made on behalf of another Person, then the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction of the Information Officer (Section 53(2)(f)).
- 12.9 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a Person may make the request orally.
- 12.10 The Requester must pay the prescribed fee before any further Processing can take place.
- 12.11 All information as listed in this paragraph 12 should be provided, failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the Requester has furnished all the necessary and required information. The Information Officer shall sever a Record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

13. REFUSAL OF ACCESS TO A RECORD

- 13.1 PAIA provides that a private body, such as the Company, may under certain circumstances refuse access to a Record or information that has been requested.
- 13.2 The main grounds for the Company to refuse a request for information in terms of PAIA include a refusal in terms of:
- 13.2.1 Section 63 of PAIA, relating to the mandatory protection of the privacy of a third party who is a natural person or a deceased person or a juristic person, as included in POPIA, which would involve the unreasonable disclosure of Personal Information of that natural or juristic person;
- 13.2.2 Section 64 of PAIA, relating to the mandatory protection of the commercial information of a third party if the Record contains:
- 13.2.2.1 trade secrets of the third party;
- 13.2.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;

- 13.2.2.3 information disclosed in confidence by a third party to the Company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 13.2.3 Section 65 of PAIA, relating to the mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 13.2.4 Section 66 of PAIA, relating to the mandatory protection of the safety of individuals and the protection of property;
- 13.2.5 Section 67 of PAIA, relating to the mandatory protection of Records which would be regarded as privileged in legal proceedings;
- 13.2.6 Section 68 of PAIA, relating to the mandatory protection of the Company's commercial information and activities, including:
- 13.2.6.1 trade secrets of the Company;
- 13.2.6.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the Company;
- 13.2.6.3 information which, if disclosed could put the Company at a disadvantage in negotiations or commercial competition;
- 13.2.6.4 a computer program or software which is owned by the Company, and which is protected by copyright;
- 13.2.6.5 the research information of the Company or a third party, if its disclosure would disclose the identity of the Company, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 13.2.7 Section 69 of PAIA, relating to the mandatory protection of research information of a third party; and
- 13.2.8 the mandatory protection of Personal Information and for disclosure of any Personal Information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of POPIA.

- 13.3 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- 13.4 All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.
- 13.5 If a requested Record cannot be found or if the Record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the Requester that it is not possible to give access to the requested Record.
- 13.6 Such a notice will be regarded as a decision to refuse a request for access to the Record concerned for the purpose of PAIA. If the Record should later be found, the Requester shall be given access to the Record in the manner stipulated by the Requester in the prescribed form, unless the Information Officer refuses access to such Record.

14. AVAILABLE REMEDIES WHERE ACCESS TO A RECORD IS REFUSED

14.1 INTERNAL REMEDIES

The Company does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

14.2 EXTERNAL REMEDIES

- 14.2.1 A Requester that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (Thirty) days of notification of the decision apply to a Court for relief.
- 14.2.2 A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (Thirty) days of notification of the decision apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.

15. PREREQUISITES FOR ACCESS TO RECORDS

15.1 Records held by the Company may be accessed by requests only once the prerequisite requirements for access have been met.

15.2 A Requester is any Person making a request for access to a Record of the Company. There are two types of Requesters:

15.2.1 Personal Requester

15.2.1.1 A personal Requester is a Requester who is seeking access to a Record containing Personal Information about the Requester.

15.2.1.2 the Company will voluntarily provide the requested information or give access to any Record with regard to the Requester's Personal Information. The prescribed fee for reproduction of the information requested will be charged.

15.2.2 Other Requester

15.2.2.1 This Requester (other than a personal Requester) is entitled to request access to information on third parties.

15.2.2.2 In considering such a request, the Company will adhere to the provisions of PAIA. Section 71 of PAIA requires that the Information Officer take all reasonable steps to inform a third party to whom the requested Record relates of the request, informing him/her that he/she may make a written or oral representation to the Information Officer why the request should be refused or, where required, give written Consent for the disclosure of the Information.

15.3 The Company is not obliged to voluntarily grant access to such Records. The Requester must fulfil the prerequisite requirements, in accordance with the requirements of PAIA and as stipulated in Part 3 of Chapter 5, including the payment of a request fee and access fee.

16. PRESCRIBED FEES [SECTION 51(1)(F) OF PAIA]

16.1 FEES PROVIDED BY PAIA

- 16.1.1 PAIA provides for two types of fees, namely:
- 16.1.1.1 A request fee, which is a form of administration fee to be paid by all Requesters except personal Requesters, before the request is considered and is not refundable; and
 - 16.1.1.2 An access fee, which is paid by all Requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and preparing a Record for delivery to the Requester.
- 16.1.2 When the request is received by the Information Officer, such officer shall by notice require the Requester, other than a personal Requester, to pay the prescribed request fee, before further Processing of the request in terms of Section 54(1) of PAIA.
- 16.1.3 If the search for the Record has been made and the preparation of the Record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the Requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 16.1.4 The Information Officer shall withhold a Record until the Requester has paid the fees as indicated below.
- 16.1.5 A Requester whose request for access to a Record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the Record for disclosure including making arrangements to make it available in the request form.
- 16.1.6 If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the Requester.
- 16.2 REPRODUCTION FEE

Where the Company has voluntarily provided a list of categories of Records that will automatically be made available to any Person requesting access thereto, the only charge

that may be levied for obtaining such Records will be a fee for reproduction of the Record in question.

Reproduction of Information Fees	Fees to be Charged
Information in an A4 size page photocopy or part thereof	R 1.10
A printed copy of an A4 size page or part thereof	R 0.75
A copy in computer-readable format, for example USB or compact disc	R 70.00
A transcription of visual images, in an A4 size page or part thereof	R 40.00
A copy of visual images	R 60.00
A transcription of an audio record for an A4 size page or part thereof	R 20.00
A copy of an audio record	R 30.00

16.3 REQUEST FEES

Where a Requester submits a request for access to information held by an institution on a Person other than the Requester himself/herself, a request fee in the amount of R50.00 is payable up-front before the institution will further Process the request received.

16.4 ACCESS FEES

16.4.1 An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of Section 54(8) of PAIA.

16.4.2 The applicable access fees which will be payable are:

Access of Information Fees	Fees to be Charged
Information in an A4 size page photocopy or part thereof	R 1.10
A printed copy of an A4 size page or part thereof	R 0.75
A copy in computer-readable format, for example: USB Compact disc	R 70.00 R 70.00
A transcription of visual images, in an A4 size page or part thereof	R 40.00
A copy of visual images	R 60.00
A transcription of an audio record for an A4 size page or part thereof	R 20.00
A copy of an audio record (*per hour or part of an hour reasonably required for such search)	R 30.00*

16.5 DEPOSITS

16.5.1 Where the Company receives a request for access to information held on a Person other than the Requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required Record of disclosure will take more than 6 (Six) hours, a deposit is payable by the Requester.

16.5.2 The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

16.6 COLLECTION FEES

16.6.1 The initial "request fee" of R50.00 must be deposited into the bank account of the Company and a copy of the deposit slip, application form and other correspondence or documents, forwarded to the Information Officer via email.

16.6.2 The officer will collect the initial "request fee" of applications received directly by the Information Officer via email.

- 16.6.3 All fees are subject to change as allowed for in the Act and as a consequence of such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

17. **DECISION**

- 17.1 The Company will, within 30 (Thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 17.2 The 30 (Thirty) day period within which the Company has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 (Thirty) days if the request is for a large number of information, or the request requires a search for information held at another office of the Company and the information cannot reasonably be obtained within the original 30 (Thirty) day period.
- 17.3 The Company will notify the Requester in writing should an extension be sought.

PART 3: PROTECTION OF PERSONAL INFORMATION

18. **PROCESSING OF PERSONAL INFORMATION BY THE COMPANY**

- 18.1 Chapter 3 of POPIA provides for the minimum conditions for lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.
- 18.2 The Company needs Personal Information relating to both individual and juristic Persons in order to carry out its business and organisational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by the Company.
- 18.3 The Company is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:
- 18.3.1 is Processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by the Company,

in the form of privacy or data collection notices. The Company must also have a legal basis (for example, Consent) to Process Personal Information;

- 18.3.2 is Processed only for the purposes for which it was collected;
- 18.3.3 will not be Processed for a secondary purpose unless that Processing is compatible with the original purpose;
- 18.3.4 is adequate, relevant and not excessive for the purposes for which it was collected;
- 18.3.5 is accurate and kept up to date;
- 18.3.6 will not be kept for longer than necessary;
- 18.3.7 is Processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by the Company, in order to protect against access and acquisition by unauthorised Persons and accidental loss, destruction or damage;
- 18.3.8 is Processed in accordance with the rights of Data Subjects, where applicable.
- 18.4 Data Subjects have the right to:
 - 18.4.1 be notified that their Personal Information is being collected by the Company. The Data Subject also has the right to be notified in the event of a data breach;
 - 18.4.2 know whether the Company holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
 - 18.4.3 request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained Personal Information;
 - 18.4.4 object to the Company's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to the Company's record keeping requirements);

- 18.4.5 object to the Processing of Personal Information for purposes of Direct Marketing by means of unsolicited Electronic Communications; and
- 18.4.6 complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its Personal Information;
- 18.4.7 not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated Processing of Personal Information intended to provide a profile of such Person;
- 18.4.8 submit a complaint to the Regulator regarding the alleged interference with the protection of the Personal Information of any Data Subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator;
- 18.4.9 institute civil proceedings regarding the alleged interference with the protection of Personal Information.
- 18.5 The Company will not Process the Personal Information of any Data Subject unless:
 - 18.5.1 Consent is obtained from the Data Subject;
 - 18.5.2 Processing is necessary for the establishment, exercise or defence of a right or obligation in law;
 - 18.5.3 Processing is necessary to comply with an obligation of international public law;
 - 18.5.4 Processing is for historical, statistical or research purposes to the extent that:
 - 18.5.4.1 the purpose serves a public interest, and the Processing is necessary for the purpose concerned; or
 - 18.5.4.2 it appears to be impossible or would involve a disproportionate effort to ask for Consent, and sufficient guarantees are provided for to ensure that the Processing does not adversely affect the individual privacy of the Data Subject to a disproportionate extent;

- 18.5.5 Information has deliberately been made public by the Data Subject;
- 18.5.6 Processing is authorised by Regulator;
- 18.5.7 When relating to religious or philosophical belief, Processing is carried out by the spiritual or religious organisation to which the Data Subject belongs or to which their family members belong;
- 18.5.8 When relating to race or ethnic origin, Processing is carried out to identify Data Subjects or comply with specific legislation;
- 18.5.9 When relating to trade union membership, Processing is carried out by the trade union to which the Data Subject belongs;
- 18.5.10 When relating to political persuasion, Processing is carried out by or for an institution, founded on political principles if the information is of their members or employees or for purposes of forming a political party;
- 18.5.11 When relating to health or sex life, Processing is carried out by:
- 18.5.11.1 medical professionals, healthcare institutions or facilities or social services, if such Processing is necessary for the proper treatment and care of the Data Subject;
 - 18.5.11.2 insurance companies, medical schemes, medical scheme administrators and managed healthcare organisations;
 - 18.5.11.3 schools, if such Processing is necessary to provide special support for pupils or making special arrangements in connection with their health or sex life;
 - 18.5.11.4 any public or private body managing the care of a Child, if such Processing is necessary for the performance of their lawful duties;
 - 18.5.11.5 any public body, if such Processing is necessary in connection with the implementation of prison sentences or detention measures;
 - 18.5.11.6 administrative bodies, pension funds, employers or institutions working for them;

- 18.5.12 When relating to criminal behaviour or biometric information, Processing is carried out by bodies charged by law with applying criminal law or by responsible parties who have obtained that information in accordance with the law, or by the employer in accordance with the rules established in compliance with labour legislation.
- 18.6 The Company undertakes that it will only Process the Personal Information of a Child if such Processing is:
- 18.6.1 carried out with the prior Consent of a Competent Person;
 - 18.6.2 necessary for the establishment, exercise or defence of a right or obligation in law;
 - 18.6.3 necessary to comply with an obligation of international public law;
 - 18.6.4 for historical, statistical or research purposes to the extent that:
 - 18.6.4.1 the purpose serves a public interest, and the Processing is necessary for the purpose concerned; or
 - 18.6.4.2 it appears to be impossible or would involve a disproportionate effort to ask for Consent, and sufficient guarantees are provided for to ensure that the Processing does not adversely affect the individual privacy of the Child to a disproportionate extent;
 - 18.6.4.3 of Personal Information which has deliberately been made public by the Child with the Consent of a Competent Person;
 - 18.6.4.4 authorised by the Regulator.
- 18.7 The Company will apply for and obtain prior authorisation from the Regulator if it plans to do any of the following:
- 18.7.1 Process any unique identifiers of Data Subjects for a purpose other than the one for which the identifier was specifically intended at collection; and with the aim of linking the information together with information Processed by other responsible parties;

- 18.7.2 Process information on criminal behaviour or on unlawful or objectionable conduct on behalf of third parties;
- 18.7.3 Process information for the purposes of credit reporting;
- 18.7.4 Transfer special Personal Information, or the Personal Information of Children, to a third party in a foreign country that does not provide an adequate level of protection for the Processing of Personal Information.
- 18.8 The Company will obtain prior authorization only once and not each time that Personal Information is received or Processed, except where the Processing departs from that which has been authorised.
- 18.9 The Company may not carry out information Processing that has been notified to the Regulator until the Regulator has completed its investigation or until they have received notice that a more detailed investigation will not be conducted. The Regulator must inform the Responsible Party in writing within 4 (Four) weeks of the notification as to whether or not it will conduct a more detailed investigation. On conclusion of the more detailed investigation the Regulator must issue a statement concerning the lawfulness of the information Processing. If the Company does not receive the Regulator's decision within the time limits specified, it may presume a decision in its favour and continue with its Processing.

19. PURPOSE FOR PROCESSING OF PERSONAL INFORMATION

- 19.1 The Company will only collect Personal Information for a specific, explicitly defined and lawful purpose which relates to a function or activity carried out by the Company.
- 19.2 The Company will ensure that Personal Information collected is adequate, relevant and not excessive, when taking into account the specific purpose for which the information of that particular Data Subject is collected.
- 19.3 The Company will always strive to collect Personal Information directly from the Data Subject concerned unless one of the following exclusions as laid down in POPIA applies:

- 19.3.1 the information is contained in or derived from a Public Record or has deliberately been made public by the Data Subject;
- 19.3.2 the Data Subject or a Competent Person where the Data Subject is a Child has Consented to the collection of the information from another source;
- 19.3.3 collection of the information from another source would not prejudice a legitimate interest of the Data Subject;
- 19.3.4 collection of the information from another source is necessary:
 - 19.3.4.1 to avoid prejudice to the maintenance of the law by any public body, including the prevention, detection, investigation, prosecution and punishment of offences;
 - 19.3.4.2 to comply with an obligation imposed by law or to enforce legislation concerning the collection of revenue as defined in Section 1 of the South African Revenue Service Act, 1997 (Act 34 of 1997);
 - 19.3.4.3 for the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated;
 - 19.3.4.4 in the interests of national security; or
 - 19.3.4.5 to maintain the legitimate interests of the Company or of a third party to whom the information is supplied;
- 19.3.5 compliance would prejudice a lawful purpose of the collection; or
- 19.3.6 compliance is not reasonably practicable in the circumstances of the particular case.
- 19.4 The Company specifically collects Personal Information for the following purposes:
 - 19.4.1 Collection from clients and users
 - 19.4.1.1 performing duties in terms of any agreement with clients;
 - 19.4.1.2 making, or assist in making, credit decisions about clients;

- 19.4.1.3 operating and managing clients' accounts and managing any application, agreement or correspondence clients may have with the Company;
- 19.4.1.4 communicating (including Direct Marketing) with clients by email, SMS, letter, telephone or in any other way about the Company's products and services, unless clients indicate otherwise;
- 19.4.1.5 forming a view of clients as individuals and to identify, develop or improve products, that may be of interest to clients;
- 19.4.1.6 carrying out market research, business and statistical analysis;
- 19.4.1.7 performing other administrative and operational purposes including the testing of systems;
- 19.4.1.8 recovering any debt clients may owe the Company;
- 19.4.1.9 complying with the Company's regulatory and other obligations;
- 19.4.1.10 any other reasonably required purpose relating to the Company's business.
- 19.4.2 Collection from prospective clients
 - 19.4.2.1 verifying and updating information;
 - 19.4.2.2 Direct Marketing;
 - 19.4.2.3 any other reasonably required purpose relating to the Processing of a prospective client's Personal Information reasonably related to the Company's business.
- 19.4.3 Collection from employees
 - 19.4.3.1 the same purposes as for clients (above);
 - 19.4.3.2 verification of applicant employees' information during recruitment process;
 - 19.4.3.3 general matters relating to employees, payment of remuneration, including pension, medical aid, disciplinary action and training;

- 19.4.3.4 ensuring the health and safety of the employees;
- 19.4.3.5 any other reasonably required purpose relating to the employment or possible employment relationship.
- 19.4.4 Collection from suppliers and other businesses
 - 19.4.4.1 verifying information and performing checks;
 - 19.4.4.2 purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
 - 19.4.4.3 payment of invoices;
 - 19.4.4.4 complying with the Company's regulatory and other obligations; and
 - 19.4.4.5 any other reasonably required purpose relating to the Company's business.
- 19.5 If the information is not collected from you directly you will be informed of the purpose as soon as practicable or upon request.

20. CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION

- 20.1 The type of Personal Information collected from a Data Subject depends on the reason that the Data Subject is engaging with the Company.
- 20.2 This paragraph sets out the various categories of Data Subjects that the Company Processes Personal Information on and the types of Personal Information relating thereto.

20.3 CLIENTS OF THE COMPANY

The nature of the Company's business entail that its clients, together with their information, provide the Company with some or all of the following information in respect of a Data Subject:

- 20.3.1 name;
- 20.3.2 identity or company registration number;

- 20.3.3 names, identity numbers and contact particulars of directors;
- 20.3.4 postal and/or street addresses;
- 20.3.5 contact numbers and email addresses;
- 20.3.6 banking and financial information;
- 20.3.7 VAT and/or tax details;
- 20.3.8 information about products or services;
- 20.3.9 browsing habits and click patterns on the Company websites;
- 20.3.10 other information not specified, reasonably required to be Processed for business operations.

The Company furthermore record that during the ordinary course of its business activities, it relays information of a Data Subject to the applicable credit bureau(s).

20.4 SUPPLIERS AND THIRD PARTIES

For suppliers of the Company the information collected may include the following and is collected for the purpose of ensuring that the supplier is capable of rendering the service or product as required by the Company and having sufficient detail to effect payment of any accounts or enforce any rights against them:

- 20.4.1 name;
- 20.4.2 identity or company registration number;
- 20.4.3 names, identity numbers and contact particulars of directors;
- 20.4.4 postal and/or street addresses;
- 20.4.5 contact numbers and email addresses;
- 20.4.6 banking details;

- 20.4.7 VAT and/or tax details;
- 20.4.8 information about products or services;
- 20.4.9 broad-based black economic empowerment status;
- 20.4.10 website details;
- 20.4.11 browsing habits and click patterns on the Company websites;
- 20.4.12 other information not specified, reasonably required to be Processed for business operations.

20.5 PROSPECTIVE EMPLOYEES

For prospective employees the Company may collect the following information for the purpose of determining whether the prospective employee may be a suitable candidate become employed with the Company:

- 20.5.1 full names;
- 20.5.2 postal and/or street addresses;
- 20.5.3 contact numbers and email addresses;
- 20.5.4 identity number and copies of identity documents (including passports);
- 20.5.5 ethnic group;
- 20.5.6 age;
- 20.5.7 gender;
- 20.5.8 marital status;
- 20.5.9 nationality;
- 20.5.10 language;
- 20.5.11 employment history and references;

20.5.12 education and qualifications;

20.6 EMPLOYEES

For employees of the Company the following information may be collected for the purpose of ensuring compliance with the applicable labour and tax laws:

20.6.1 name and contact details;

20.6.2 identity number and copies of identity documents (including passports);

20.6.3 ethnic group;

20.6.4 age;

20.6.5 gender;

20.6.6 marital status;

20.6.7 nationality;

20.6.8 language;

20.6.9 employment history and references;

20.6.10 education and qualifications;

20.6.11 banking and financial details;

20.6.12 details of payments to third parties (deductions from salary);

20.6.13 employment contract;

20.6.14 employment equity plans;

20.6.15 medical aid details;

20.6.16 pension fund Records;

20.6.17 remuneration/ salary Records;

- 20.6.18 performance appraisals;
- 20.6.19 disciplinary Records;
- 20.6.20 leave Records;
- 20.6.21 training Records;
- 20.6.22 next of kin names and contact numbers.

20.7 OTHER CATEGORIES

- 20.7.1 In respect of Covid-19 screening, the Personal Information collected is necessary to comply with the Disaster Management Act and supplementary regulations and directives. This information will be kept confidential unless disclosure is required by law, for instance should a positive case be identified. This information will be stored for a period of 14 (Fourteen) days and thereafter be destroyed. If the Data Subject does not provide the information as required, the Company can limit or refuse his/her access to the premises of the Company.
- 20.7.2 Any closed-circuit television monitoring footage is only Processed for security purposes and not shared with any person or entity outside the Company.

21. CONSENT OF DATA SUBJECT

- 21.1 The Company undertakes to only Process Personal Information of the Data Subject if any of the following applies, unless compliance is unnecessary in terms of the exclusions contained in POPIA:
 - 21.1.1 the Data Subject or a Competent Person where the Data Subject is a Child Consents to the Processing;
 - 21.1.2 Processing is necessary to carry out actions for the conclusion or performance of a contract to which the Data Subject is party;
 - 21.1.3 Processing complies with an obligation imposed by law on the Company;
 - 21.1.4 Processing protects a legitimate interest of the Data Subject;

- 21.1.5 Processing is necessary for the proper performance of a public law duty by a public body; or
- 21.1.6 Processing is necessary for pursuing the legitimate interests of the Company or of a third party to whom the information is supplied.
- 21.2 The Company notes that it bears the burden of proof for the Data Subject's or Competent Person's Consent as referred to above.
- 21.3 The Data Subject may withdraw his/her Consent, or object to the Processing of Personal Information, at any time and the Company must inform the Data Subject of this right. The Data Subjects are also informed of the consequences should they withdraw Consent, and where Consent cannot be withdrawn as the Personal Information is required by law or for the proper execution of the contract or agreement.

22. OBJECTION BY DATA SUBJECT TO PROCESSING OF PERSONAL INFORMATION

- 22.1 Where the Data Subject objects to the Processing of Personal Information, and the Processing is not necessary for the proper execution of a contract or not required by law, the Company will stop Processing the data immediately.
- 22.2 Data Subjects must object to the Processing of Personal Information by informing the Company by completing **FORM 1** (*Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act*) attached as **Schedule 1** hereto. On receipt of the corrected information the Company will as soon as practically possible:
- 22.2.1 cease Processing the information and destroy or delete such information as it may have in its possession, unless legislation provides for such Processing;
- 22.2.2 inform the Data Subject of the result of the request and, where applicable, provide the Data Subject to his/her reasonable satisfaction with written confirmation that it has ceased Processing the Data Subject's Personal Information;
- 22.2.3 inform each person or body or Responsible Party to whom the Personal Information has been disclosed of these steps.

23. RETENTION OF INFORMATION

- 23.1 The Company undertakes that it will not retain information any longer than is necessary for achieving the purpose for which the information was collected or Processed, unless:
- 23.1.1 retention of the Record is required or authorised by law;
 - 23.1.2 the Company reasonably requires the Record for lawful purposes related to its functions or activities;
 - 23.1.3 retention of the Record is required by a contract between the parties thereto; or
 - 23.1.4 the Data Subject or a Competent Person where the Data Subject is a Child has Consented to the retention of the Record.
- 23.2 Due to the administrative difficulties of managing different retention periods, the Company's policy is to retain all employee and supplier information for a maximum period of 7 (Seven) years, unless required by law or practical considerations to retain it longer in terms of other applicable Company policies. This period will be communicated to Data Subjects.
- 23.3 All Personal Information belonging to the Company's clients or users of clients will be retained for such a period of time as may be advised by the client and/or applicable user, whereupon it will be permanently deleted after a period of at least 90 (Ninety) days after a client or user has requested deletion of the information, unless required by law or practical considerations to retain it longer. This period will be communicated to Data Subjects.
- 23.4 The Company will also keep secure back-ups in terms of its information security management system for a period of 2 (Two) years after the active information has been deleted from its servers, after which period the back-ups will be permanently deleted.
- 23.5 Should a Data Subject not Consent to the abovementioned retention periods, the retention period will default back to the prescribed period as per legislation. These Data Subjects will be flagged to ensure that their Records are destroyed after the retention period.
- 23.6 Records will be permanently destroyed after the aforementioned retention periods.

24. LIMITATIONS ON THE FURTHER PROCESSING OF INFORMATION

24.1 The Company will only Process information further if it is in accordance or compatible with the purpose for which it was collected. Further Processing refers to any Processing of Personal Information for reasons other than those for which it was obtained and that have already been communicated to the Data Subject.

24.2 Whether further Processing is compatible with the original purpose for collection will be determined by taking into account the following:

24.2.1 the relationship between the purpose of the intended further Processing and the purpose for which the information has been collected;

24.2.2 the nature of the information concerned;

24.2.3 the consequences of the intended further Processing for the Data Subject;

24.2.4 the manner in which the information has been collected; and

24.2.5 any contractual rights and obligations between the parties.

24.3 If the further Processing is not in accordance or compatible with the original purpose for collection, the Company will only Process the information further if one of the following is applicable:

24.3.1 the Data Subject or a Competent Person where the Data Subject is a Child has Consented to the further Processing of the information;

24.3.2 the information is available in or derived from a Public Record or has deliberately been made public by the Data Subject;

24.3.3 further Processing is necessary:

24.3.3.1 to avoid prejudice to the maintenance of the law by any public body including the prevention, detection, investigation, prosecution and punishment of offences;

- 24.3.3.2 to comply with an obligation imposed by law or to enforce legislation concerning the collection of revenue as defined in Section 1 of the South African Revenue Service Act, 1997 (Act 34 of 1997);
- 24.3.3.3 for the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated; or
- 24.3.3.4 in the interests of national security;
- 24.3.4 the further Processing of the information is necessary to prevent or mitigate a serious and imminent threat to:
 - 24.3.4.1 public health or public safety; or
 - 24.3.4.2 the life or health of the Data Subject or another individual;
- 24.3.5 the information is used for historical, statistical or research purposes and the Responsible Party ensures that the further Processing is carried out solely for such purposes and will not be published in an identifiable form; or
- 24.3.6 the further Processing of the information is in accordance with an exemption granted by the Regulator in terms of POPIA.

25. QUALITY OF INFORMATION

- 25.1 The Company will take reasonably practical steps to ensure that the Personal Information is complete, accurate, not misleading and updated when necessary.
- 25.2 Data Subjects have the right to contest the accuracy of the information by informing the Company by completing **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) attached as **Schedule 2** hereto. On receipt of the corrected information the Company will as soon as practically possible:
 - 25.2.1 correct the information or destroy or delete the information, depending on the relevant request;

- 25.2.2 provide the Data Subject, to his or her reasonable satisfaction, with credible evidence in support of the information, or where agreement cannot be reached between the Company and the Data Subject, and if the Data Subject so requests, take such steps as are reasonable in the circumstances, to attach to the information in such a manner that it will always be read with the information, an indication that a correction of the information has been requested but has not been made;
- 25.2.3 inform each Person or body or Responsible Party to whom the Personal Information has been disclosed of these steps;
- 25.2.4 inform the Data Subject of the result of the request.

26. **CROSS-BORDER INFORMATION FLOWS**

- 26.1 The Company will not transfer Personal Information about a Data Subject to a third party who is in a foreign country unless one of the following is applicable:
 - 26.1.1 the third party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that:
 - 26.1.1.1 effectively upholds principles for reasonable Processing of the information that are substantially similar to the conditions for the lawful Processing of Personal Information relating to a Data Subject who is a natural person and, where applicable, a juristic person; and
 - 26.1.1.2 includes provisions, that are substantially similar to this section, relating to the further transfer of Personal Information from the recipient to third parties who are in a foreign country;
 - 26.1.2 the Data Subject Consents to the transfer;
 - 26.1.3 the transfer is necessary for the performance of a contract between the Data Subject and the Responsible Party, or for the implementation of pre-contractual measures taken in response to the Data Subject's request;

- 26.1.4 the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the Data Subject between the Responsible Party and a third party; or
- 26.1.5 the transfer is for the benefit of the Data Subject, and:
 - 26.1.5.1 it is not reasonably practicable to obtain the Consent of the Data Subject to that transfer; and
 - 26.1.5.2 if it were reasonably practicable to obtain such Consent, the Data Subject would be likely to give it.

The Company does not, in the ordinary course of business transfer Personal Information to third parties in foreign countries and all data and Personal Information are stored on the Company's servers in South Africa.

27. ACCESS TO PERSONAL INFORMATION BY DATA SUBJECT

- 27.1 A Data Subject has the right to be aware of their Personal Information being Processed and to take part in this process by either objecting to such Processing or ensuring that the information is correct by requesting the Company to remove or correct incorrect information.
- 27.2 the Company will take all reasonably practicable measures to inform Data Subjects about the Personal Information being Processed.
- 27.3 Any Data Subject may, having provided adequate proof of identity, request the Company to confirm whether or not the Company holds Personal Information about them and the identity of third parties who have, or have had access to the information. **FORM C** (*Request for Access to Record of a Private Body*) attached as **Schedule 3** hereto must be used for this application. A Data Subject may need to pay a fee for these services which will always be charged in terms of the Promotion of Access to information Act. You may contact the Information Officer to obtain a list of these fees.

- 27.4 Access to information will be granted or refused, as the case may be, as requested by the Data Subject as provided for in the Promotion of Access to Information Act (PAIA) after taking into considerations all the requirements of this Act.

28. SAFETY MEASURES FOR THE PROTECTION OF PERSONAL INFORMATION

- 28.1 The Company has implemented a comprehensive information security policy to secure the integrity and confidentiality of Personal Information in its possession or under its control and takes continuous appropriate, reasonable technical and organisational measures to prevent:

28.1.1 loss of, damage to or unauthorised destruction of Personal Information; and

28.1.2 unlawful access to or Processing of Personal Information.

- 28.2 The safeguards implemented by the Company are of a reasonable standard, taking into account the best industry practice and contain at least the following:

28.2.1 IDC-POL-IT-001 Information Security Policy

28.2.2 IDC-POL-IT-002 IT Access Control Policy

28.2.3 IDC-POL-IT-003 Malware and Network Protection Policy

28.2.4 IDC-POL-IT-004 Data Protection Policy

28.2.5 IDC-POL-IT-005 Incident Management Procedure

28.2.6 IDC-POL-IT-006 Disaster Recovery Plan

28.2.7 IDC-POL-IT-007 Business Continuity Procedure

28.2.8 IDC-POL-IT-008 Business Impact Analysis

28.2.9 IDC-POL-IT-009 Cryptographic Key and Certificate Management Policy

28.2.9 IDC-POL-TPR-001 Third Party Risk Assessment

29. MAKING USE OF AN OPERATOR OR ACTING AS AN OPERATOR

29.1 Where the Company makes use of Operators in the Processing of Personal Information, the following minimum standards will be adhered to:

29.1.1 Each Operator must sign a POPIA service agreement with the Company to ensure that the Operator establishes and maintains the same level of security measures that the Company does in order to ensure the safeguarding of information. The service agreement must provide that the Operator must notify the Company immediately where there are reasonable grounds to believe that the Personal Information of a Data Subject has been accessed or acquired by any unauthorised Person.

29.2 Where the Company acts as an Operator for another Responsible Party, it will comply with the following:

29.2.1 The Company will treat Personal Information which comes to its knowledge as confidential and shall not disclose it, unless required by law or in the course of the proper performance of its duties;

29.2.2 The Company will notify the Responsible Party immediately where there are reasonable grounds to believe that the Personal Information of a Data Subject has been accessed or acquired by any unauthorised Person;

29.2.3 The Company shall implement the same safeguards to the information Processed as it does where it acts as the Responsible Party in terms of the POPI Act.

30. INFORMATION BREACHES

30.1 The Company will, where there are reasonable grounds to believe that Personal Information of a Data Subject has been accessed by an unauthorised Person, notify the Regulator and the Data Subject (unless the identity of the Data Subject cannot be established) in terms of its Incident Management Procedure.

30.2 The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures

reasonably necessary to determine the scope of the compromise and to restore the integrity of the Company's information system.

30.3 The notification to a Data Subject shall be in writing and communicated to the Data Subject in at least one of the following ways:

30.3.1 Mailed to the Data Subject's last known physical or postal address;

30.3.2 sent by e-mail to the Data Subject's last known e-mail address;

30.3.3 placed in a prominent position on the website of the Company;

30.3.4 published in the news media; or

30.3.5 as may be directed by the Regulator.

30.4 The following information will be included in notifications:

30.4.1 a description of the possible consequences of the security compromise;

30.4.2 a description of the measures that the Company intend to take or have taken to address the security compromise;

30.4.3 a recommendation with regard to the measures to be taken by the Data Subject to mitigate the possible adverse effects of the security compromise; and

30.4.4 if known, the identity of the unauthorised Person who may have accessed or acquired the Personal Information.

31. DIRECT MARKETING

31.1 GENERAL PRINCIPLES

31.1.1 The Company takes note that the Processing of Personal Information of a Data Subject for the purpose of Direct Marketing by means of any form of Electronic Communication, including automatic calling machines, facsimile machines, SMSs or e-mail is prohibited unless the Data Subject:

- 31.1.1.1 has given his, her or its Consent to the Processing; or
- 31.1.1.2 is a Client of the Company and:
 - 31.1.1.2.1 the Company has obtained the contact details of the Data Subject in the context of the sale of a product or service;
 - 31.1.1.2.2 the Processing is for the purpose of Direct Marketing of the Company's own similar products or services; and
 - 31.1.1.2.3 the Data Subject has been given a reasonable opportunity to object, free of charge and in a manner free of unnecessary formality, to such use of his, her or its electronic details.
- 31.1.2 The Company will also adhere to the following rules relating to Direct Marketing to Data Subjects:
 - 31.1.2.1 the Company may approach a Data Subject only once, and in the prescribed manner and form, for his/her Consent to Direct Marketing. If the Consent has been withheld previously, the Data Subject may not be approached again to request Consent or to provide such Direct Marketing;
 - 31.1.2.2 the request for Consent will be in the format at prescribed by POPIA, substantially in accordance with **FORM 4** (*Application for the Consent of a Data Subject for the Processing of Personal Information for the Purpose of Direct Marketing in terms of Section 69(2) of the Protection of Personal Information Act*);
 - 31.1.2.3 all Direct Marketing sent by electronic means will contain the identity of the sender or the Person on whose behalf the communication has been sent, and an address or other contact details to which the recipient may send a request that such communication must cease.
- 31.1.3 A directory is kept of all Data Subjects who have opted-out of the Direct Marketing to ensure that they do not receive further marketing material.
- 31.2 DIRECT MARKETING TO NEW POTENTIAL CLIENTS

31.2.1 The Company Processes Personal Information for the purpose of Direct Marketing by means of Electronic Communication through the following channels:

31.2.1.1 Text and SMS, Voice calls or messages, Emails etc.

31.2.2 For new potential clients the following process needs to be followed in respect of Direct Marketing to these Data Subjects:

31.2.2.1 the source from which the information is obtained will be listed the Company's internal POPIA Compliance file.

31.2.2.2 a message is sent to Data Subject to inform them that their information has been collected for purposes of Direct Marketing and requests their Consent. The Data Subject must reply with a positive response otherwise the details are removed from the subscriber list. If an e-mail is sent there is the option to 'unsubscribe'.

31.2.3 All Data Subjects who do not provide a positive response and those who unsubscribe will be removed from the subscriber list and may not be contacted for the purposes of Direct Marketing again.

31.3 DIRECT MARKETING TO EXISTING CLIENTS

31.3.1 The Company Processes Personal Information for the purpose of Direct Marketing to existing clients by means of Electronic Communication through the following channels:

31.3.1.1 Text and SMS, Voice calls or messages, Emails etc.

31.3.2 For existing Clients, the following process needs to be followed in respect of Direct Marketing to these Data Subjects:

31.3.2.1 once the Data Subject has become a client of the Company, its information will be placed on a directory which is linked to the type of product or service it receives. Only similar products to those already offered to the Data Subject are marketed. The Company will ensure that different directories are kept for different clients based on the type of product or service offered to ensure compliance with this requirement.

31.3.2.2 A message is sent to Data Subject and the message will contain the option to 'unsubscribe', all Data Subjects who unsubscribe must be removed from the subscriber list and may not be contacted for the purposes of Direct Marketing again.

31.4 USE OF LISTING SERVICES OR PUBLIC DIRECTORIES

31.4.1 The Company notes that a Data Subject who is a subscriber to a printed or electronic directory of subscribers available to the public or obtainable through directory enquiry services, in which his, her or its Personal Information is included, must be informed, free of charge and before the information is included in the directory:

31.4.1.1 about the purpose of the directory;

31.4.1.2 about any further uses to which the directory may possibly be put, based on search functions embedded in electronic versions of the directory.

31.4.2 A Data Subject must be given a reasonable opportunity to object, free of charge and in a manner free of unnecessary formality, to such use of his, her or its Personal Information or to request verification, confirmation or withdrawal of such information if the Data Subject has not initially refused such use.

31.4.3 The Company does not make their directories available to the public.

32. TRAINING OF COMPANY STAFF

The Company will provide regular training to all new employees and all existing employees as well as the Information Officer.

33. INFORMATION REGULATOR

33.1 The Company will report any breach of information to the Regulator as provided for in this Manual.

33.2 The Company takes note that any Person may submit a complaint to the Regulator alleging interference with the protection of the Personal Information of a Data Subject or non-compliance with POPIA.

33.3 The Company further notes that if it is aggrieved by the finding of any adjudicator, it can submit a complaint to the Regulator in the prescribed manner and form. These forms will form part of the Company's internal POPIA Compliance File under **FORM 5** (*Complaint Regarding Interference with the Protection of Personal Information/ Complaint Regarding the Determination of an Adjudicator in terms of Section 74 of the Protection of Personal Information Act*).

33.4 The Information Regulator may be contacted as follows:

Contact body:	The Information Regulator
Physical Address:	Braampark Forum 3, 33 Hoofd Street, Braampark, Johannesburg
Fax Number:	0865003351
E-Mail:	infoereg@justice.gov
Website:	https://www.justice.gov.za/infoereg

FORM 1: OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION

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 objection 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.

A	DETAILS OF 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	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)



INTERNATIONAL DEBT CONTROL

INTERNATIONAL DEBT CONTROL (PTY) LTD

Registration Number: 96/008100/01

VAT Number: 4080160452

Signed atthis day of
20.....

.....

Signature of data subject/designated person



INTERNATIONAL DEBT CONTROL

INTERNATIONAL DEBT CONTROL (PTY) LTD

Registration Number: 96/008100/01

VAT Number: 4080160452



MANAGING DIRECTORS:

André Fourie
Ruan Fourie

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idc@idcweb.co.za
www.idccollections.co.za

29 Holzgen Street,
Brackenhurst,
Alberton, 1448

Council Number: 0003981/03
ADRA Membership Number: 532

SCHEDULE 2

FORM 2: REQUEST FOR CORRECTION OF PROCESSING OF PERSONAL INFORMATION

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:

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.*

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):	



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Fax number/ E-mailaddress:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	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 REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONALINFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i>

Signed at this day of20.....

.....

Signature of data subject/ designated person

MANAGING DIRECTORS:
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Council Number: 0003981/03
ADRA Membership Number: 532



SCHEDULE 3

FORM C: REQUEST FOR ACCESS TO INFORMATION



REPUBLIC OF SOUTH AFRICA

The Head:



INTERNATIONAL DEBT CONTROL

INTERNATIONAL DEBT CONTROL (PTY) LTD

Registration Number: 96/008100/01

VAT Number: 4080160452



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FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

.....

.....

.....

.....

2. Reference number, if available:

.....

.....

.....

.....

3. Any further particulars of record:

.....

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.....

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

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Council Number: 0003981/03
ADRA Membership Number: 532

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an X.	
NOTES: (a) Compliance with your request for access in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:					
	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
--	-----	----

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.
--

1. Indicate which right is to be exercised or protected:

.....

.....

.....

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

.....

.....

.....



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FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....

Signed at this day of year

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

MANAGING DIRECTORS:

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