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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 1685

19 January 2022



**INFORMATION
REGULATOR
(SOUTH AFRICA)**
*Ensuring protection of your personal information
and effective access to information*

Address: 27 Stiemens Street, 4th Floor
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14 JANUARY 2022

**NOTICE IN TERMS OF SECTION 61(2) OF THE PROTECTION OF PERSONAL
INFORMATION ACT NO 4 OF 2013 (POPIA) CODE OF CONDUCT: CREDIT BUREAU
ASSOCIATION.**

1. In terms of the provisions of section 61 (2) of POPIA, the Information Regulator (Regulator) gives notice that the Regulator is in receipt of a code of conduct from the Credit Bureau Association (CBA) that deals with how personal information will be processed in the credit sector.
2. CBA resubmitted its unchanged code of conduct for consideration by the Regulator on 12 January 2022 in response to the rejection by the Regulator of the previous application due to representativity threshold not being met.
3. The purpose of the Code of Conduct is to-
 - 3.1. promote appropriate practices by members of the CBA governing the processing of personal information;
 - 3.2. encourage the establishment of appropriate agreements between members of the CBA and third parties, regulating the processing of personal information as required in POPIA and dictated by good business practice; and
 - 3.3. establish procedures for members of the CBA to be guided in their interpretation of principally POPIA, but also other laws or practices governing the processing of personal information, in the interaction between credit bureaux allowing for complaints against credit bureaux to be considered and remedial action, where appropriate, to be taken.
4. The code of conduct governs-
 - 4.1. the processing of personal information (including consumer credit information) by the credit bureaux that are members of the CBA in compliance with POPIA and the National Credit Act, 34 of 2005 (NCA);

Adv. FDP Tlakula (Chairperson), Adv. LC Stroom Nzama (Full-time Member), Adv. JC Weapond (Full-time Member), Ms AR Tilley (Part-time Member), Mr. M Gwala (Part-time Member)

- 4.2. where appropriate, agreements that may need to be concluded between members of the CBA and third parties to ensure that personal information (including consumer credit information) is processed in compliance with POPIA and the NCA; and
 - 4.3. the enforcement by the CBA of the provisions of the code of conduct.
5. A notice will be published in the Government Gazette in compliance with section 61(2) of POPIA.
 6. Affected persons are invited to submit written comments to the Regulator email address: POPIACompliance@inforegulator.org.za. within fourteen (14) days after publication of the notice in the Government Gazette. Closing date for comments is 29 January 2022. A copy of the code of conduct will be made available on the Regulator's website, alternatively, a request for a copy of the code may be made by addressing correspondence to email address: POPIACompliance@inforegulator.org.za.

Dated 14 January 2022

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