

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NOTICE 209 OF 2021



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

Address: Braampark Forum III, 33 Hoofd St,
Braampark, Johannesburg, 2017
Fax: 0865003351
E-mail: VarSewlal@justice.gov.za

Date: 30 March 2021

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 (CBA)

1. In terms of the provisions of section 61 (2) of POPIA, the Information Regulator (South Africa) 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. The purpose of the Code of Conduct is to-
 - 2.1. promote appropriate practices by members of the CBA governing the processing of personal information;
 - 2.2. 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
 - 2.3. 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.
3. The Code of Conduct governs-
 - 3.1. 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);
 - 3.2. 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

- 3.3. the enforcement by the CBA of the provisions of the Code of Conduct.
4. Affected persons are invited to submit written comments to the Regulator (email address: Codes.IR@justice.gov.za) within fourteen (14) days after publication of the notice in the Government Gazette. A copy of the draft Code of Conduct may also be obtained from the Regulator by addressing correspondence to the email mentioned above.