



ITC CREDIT BUREAU (PTY) LTD

PAIA MANUAL

**Prepared in terms of section 51 of the Promotion of Access to Information Act,  
2 of 2000 (as amended)**

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## 1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	<b>“CEO”</b>	Chief Executive Officer
1.2	<b>“IO“</b>	Information Officer
1.3	<b>“Minister”</b>	Minister of Justice and Correctional Services
1.4	<b>“PAIA”</b>	Promotion of Access to Information Act, 2 of 2000 and regulations as amended;
1.5	<b>“POPIA”</b>	Protection of Personal Information Act, 4 of 2013 and regulations as amended.
1.6	<b>“Regulator”</b>	Information Regulator
1.7	<b>“Republic”</b>	Republic of South Africa
1.8	<b>“ITC CREDIT BUREAU”</b>	ITC Credit Bureau (Pty) Ltd

## 2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is processed.

### 3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF ITC CREDIT BUREAU (PTY) LTD

#### 3.1. Information Officer

Name and Surname	Michelle Zabia
Telephone number	011 019 0099
Email	<a href="mailto:informationofficer@itc.co.za">informationofficer@itc.co.za</a>

#### 3.2 General contact details for Access to Information

Email	<a href="mailto:informationofficer@itc.co.za">informationofficer@itc.co.za</a>
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#### 3.3 Main Office and type of business

Postal Address	Building A, First Floor, Stellenpark Office Park, Stellenbosch, 7600
Physical Address	Building A, Ground Floor, Stellenpark Office Park, Stellenbosch, 7600
Telephone	011 019 0099
Email	<a href="mailto:informationofficer@itc.co.za">informationofficer@itc.co.za</a>
Website	<a href="http://www.itc.co.za">www.itc.co.za</a>
Type of company	Credit Bureau

### 4. KEY CONTACT DETAILS OF THE INFORMATION REGULATOR

#### 4.1 Information Regulator

The Information Regulator has taken over the function to regulate PAIA from the South African Human Rights Commission from the 30<sup>th</sup> of June 2021. The Information Regulator also regulates POPIA.

Contact details of the Information Regulator:

Postal Address	PO Box 3153, Braamfontein, Johannesburg, 2017
Physical Address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg 2001
Telephone	+27 (0) 10 023 5200
Email	<a href="mailto:enquiries@info regulator.org.za">enquiries@info regulator.org.za</a>
Website	<a href="https://www.info regulator.co.za">https://www.info regulator.co.za</a>

### 5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

5.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“**Guide**”), in an easily comprehensible form and manner,

as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of-
  - 5.3.1. the objects of PAIA and POPIA;
  - 5.3.2. access to the postal and street address, phone and fax number and, if available, electronic mail address of-
    - 5.3.2.1. the Information Officer of every public body, and
    - 5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;
  - 5.3.3. the manner and form of a request for-
    - 5.3.3.1. access to a record of a public body contemplated in section 11<sup>3</sup>; and
    - 5.3.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;
  - 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
  - 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
  - 5.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
    - 5.3.6.1. an internal appeal;
    - 5.3.6.2. a complaint to the Regulator; and
    - 5.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

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<sup>1</sup> Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

<sup>2</sup> Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

<sup>3</sup> Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

<sup>4</sup> Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 5.3.7. the provisions of sections 14<sup>5</sup> and 51<sup>6</sup> requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 5.3.8. the provisions of sections 15<sup>7</sup> and 52<sup>8</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9. the notices issued in terms of sections 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and
- 5.3.10. the regulations made in terms of section 92<sup>11</sup>.
- 5.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 5.5. The Guide can also be obtained-
  - 5.5.1. upon request to the Information Officer;
  - 5.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 5.6. A copy of the Guide is also available in the following official languages, for public inspection during normal office hours-
  - 5.6.1 English, Afrikaans, IsiZulu, Ndebele, Sepedi, Sesotho, Swati, Tsonga, Tswana, Venda, Xhosa

## 6. REASONS FOR ACCESS REFUSAL

A private body such as ITC CREDIT BUREAU is entitled to refuse a request for information.

- 6.1. 6.1 6.1 The main grounds for ITC CREDIT BUREAU to refuse a request for information relates to the:

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<sup>5</sup> Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

<sup>6</sup> Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 5 above.

<sup>7</sup> Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

<sup>8</sup> Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

<sup>9</sup> Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>10</sup> Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>11</sup> Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

- 6.1.1 mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63 of PAIA) or a juristic person, as included in the POPIA which would involve the unreasonable disclosure of personal information of that natural or juristic person;
- 6.1.2 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 the POPIA;
- 6.1.3 mandatory protection of the commercial information of a third party (section 64 of PAIA) if the record contains:
  - 6.1.3.1 trade secrets of the third party;
  - 6.1.3.2 financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
  - 6.1.3.3 information disclosed in confidence by a third party to ITC CREDIT BUREAU if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- 6.1.4 mandatory protection of confidential information of third parties (section 65 of PAIA) if it is protected in terms of any agreement;
- 6.1.5 mandatory protection of the safety of individuals and the protection of property (section 66 of PAIA); and/or
- 6.1.6 mandatory protection of records which would be regarded as privileged in legal proceedings (section 67 of PAIA).
- 6.2. The commercial activities (section 68 of PAIA) of a private body, such as ITC CREDIT BUREAU, which may include:
  - 6.2.1 trade secrets of ITC CREDIT BUREAU;
  - 6.2.2 financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of ITC CREDIT BUREAU;
  - 6.2.3 information which, if disclosed could put ITC CREDIT BUREAU at a disadvantage in negotiations or commercial competition;
  - 6.2.4 a computer program which is owned by ITC CREDIT BUREAU and which is protected by copyright; and/or
  - 6.2.5 the research information (section 69 of PAIA) of ITC CREDIT BUREAU or a third party, if its disclosure would disclose the identity of ITC CREDIT BUREAU, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 6.3. 6.3 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- 6.4. 6.4 All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

**6.5. Records not found or non-existent**

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. 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.

You will be notified in writing on Form 3 as required by PAIA as to whether your request for information has been approved or denied within 30 (Thirty) calendar days after receipt of a completed request refer Form 2 as per Annexure A.

**7. CATEGORIES OF RECORDS OF ITC CREDIT BUREAU (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

*The categories of records held by ITC CREDIT BUREAU which are available without a person having to request access by completing Form 2 as per the PAIA regulations (27 August 2021). These are records that are available on the website (as indicated) and a person may download or request telephonically or by sending an e-mail (Refer paragraph 3.3) or a letter.*

Refer **Table 1** for documents which are available as described above.

<b>Table 1</b>			
<b>Category of records</b>	<b>Types of the Record</b>	<b>Available on Website</b>	<b>Available upon request</b>
Compliance	Privacy policy for the website	X	
Compliance	PAIA Manual	X	
Compliance	NCR Registration Certificate	X	
Compliance	SARS Tax Compliance Status (TCS)		X
Compliance	BBBEE affidavit		X
Compliance	Company registration document (CIPC)		X
Compliance	VAT registration		X
Marketing	Company Profile		X
Marketing	Public Product Information		X
Marketing	Newsletters		X
Marketing	Magazine Articles		X



**8. DESCRIPTION OF THE RECORDS OF ITC CREDIT BUREAU (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

*These are the records which are created and available in accordance with any of the South African legislation. These are records that are available by request telephonically or by sending an e-mail (Refer paragraph 3.3) or a letter.*

Refer to **Table 2**:

<b>Table 2</b>	
<b>Category of Records</b>	<b>Applicable Legislation</b>
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
PAIA Guides (Issued by Information Regulator and available on request)	Promotion of Access to Information Act 2 of 2000

**9. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY ITC CREDIT BUREAU (PTY) LTD**

*The subjects in respect of which ITC CREDIT BUREAU holds records and the categories of records held on each subject is depicted in **Table 3** below and a person can request access by completing Form 2 as per the PAIA regulations (27 August 2021) (Refer Annexure A for example of Form 2).*

<b>Table 3</b>	
<b>Subjects on which the body holds records</b>	<b>Categories of records</b>
Compliance	<ul style="list-style-type: none"> <li>o Policies and procedures</li> <li>o Minutes of Board of Directors meetings</li> <li>o Register of Board of Directors</li> <li>o Form 44 (NCA) – Quarterly Synoptic Report</li> <li>o Form 43 (NCA) – Annual Compliance Review and Report</li> </ul>
Sales and Marketing	<ul style="list-style-type: none"> <li>o Marketing Strategy</li> <li>o List of clients and prospects</li> <li>o Client agreements</li> <li>o Client electronic files</li> <li>o Client correspondence</li> <li>o Sales Records</li> </ul>
Human Resources	<ul style="list-style-type: none"> <li>o HR policies and procedures</li> <li>o Employment contracts</li> <li>o Employees records (including personal information)</li> <li>o Employment equity plan</li> <li>o Performance management records</li> </ul>

<b>Table 3</b>	
<b>Subjects on which the body holds records</b>	<b>Categories of records</b>
	<ul style="list-style-type: none"> <li>○ Employee benefit records</li> <li>○ Payroll records (including PAYE)</li> <li>○ SARS records (e.g. IRP5's)</li> <li>○ UIF records</li> <li>○ Training attendance register</li> <li>○ Disciplinary and grievance records</li> </ul>
Finance	<ul style="list-style-type: none"> <li>○ Finance policies</li> <li>○ Annual Budgets</li> <li>○ Variance reports (budget vs Actual)</li> <li>○ Financial Statements</li> <li>○ Monthly Management Accounts</li> <li>○ VAT Schedules</li> <li>○ SARS Tax Clearance</li> <li>○ Monthly Journals</li> <li>○ Annual Journals</li> <li>○ Cash book</li> <li>○ General ledger</li> <li>○ Financial Reconciliations</li> <li>○ Debtors <ul style="list-style-type: none"> <li>• Invoices</li> <li>• Statements</li> <li>• Credit notes</li> </ul> </li> <li>○ Creditors <ul style="list-style-type: none"> <li>• Invoices</li> <li>• Statements</li> <li>• Credit Notes</li> <li>• BEE Certificates <ul style="list-style-type: none"> <li>• BEE Affidavit</li> <li>• SARS Tax Clearance</li> <li>• Asset Register</li> </ul> </li> </ul> </li> <li>○ Banking records and Statements</li> <li>○ Electronic Banking records</li> <li>○ Insurance Policies</li> </ul>
Technology	<ul style="list-style-type: none"> <li>○ Information Security Policies</li> <li>○ Register of hardware</li> <li>○ Register of software</li> <li>○ Record of Access to systems</li> </ul>
Operations	<ul style="list-style-type: none"> <li>○ Credit Bureau records</li> <li>○ Rental agreements</li> </ul>

<b>Table 3</b>	
<b>Subjects on which the body holds records</b>	<b>Categories of records</b>
	<ul style="list-style-type: none"> <li>○ Non-disclosure agreements</li> <li>○ Supplier agreements</li> <li>○ Master services agreements</li> <li>○ Reseller credit Bureau agreements</li> <li>○ Internal correspondence (emails/memos)</li> </ul>

## **10. PROCESSING OF PERSONAL INFORMATION**

### **10.1 Purpose of Processing Personal Information**

*There are various types of personal information that ITC CREDIT BUREAU deal with. Refer to **Table 4** for the purpose per category of data subjects.*

### **10.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto**

Chapter 3 of POPIA sets out the minimum conditions for lawful processing of Personal Information by a Responsible Party, as defined in POPIA, and ITC CREDIT BUREAU will therefore ensure that when it processes Personal Information, as defined in POPIA, of a data subject, that:

- (i) Personal Information is processed lawfully and in a reasonable manner that does not infringe the privacy of the data subject
- (ii) Personal information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive
- (iii) Personal information may only be processed if—
  - a. the data subject or a competent person, where the data subject is a child, consents to the processing;
  - b. processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party;
  - c. processing complies with an obligation imposed by law on the Responsible Party;
  - d. processing protects a legitimate interest of the data subject;
  - e. processing is necessary for the proper performance of a public law duty by a public body;  
or
  - f. processing is necessary for pursuing the legitimate interests of the Responsible Party or of a third party to whom the information is supplied
  - g. is accurate and kept up to date

- h. Personal Information is collected for a specific, explicitly defined and lawful purpose related to a function or activity of the Responsible Party;
- i. records of Personal Information must not be retained any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed unless—
  - i. retention of the record is required or authorised by law;
  - ii. the responsible party reasonably requires the record for lawful purposes related to its functions or activities;
  - iii. retention of the record is required by a contract between the parties thereto; or
  - iv. the data subject or a competent person where the data subject is a child has consented to the retention of the record.
- (iv) ITC CREDIT BUREAU destroys or deletes a record of Personal Information or de-identify it as soon as reasonably practicable after ITC CREDIT BUREAU is no longer authorised to retain the record;
- (v) ITC CREDIT BUREAU ensures that the integrity and confidentiality of Personal Information in its possession or under its control is secured, by taking appropriate, reasonable technical and organisational measures to prevent:
  - a. loss of, damage to or unauthorised destruction of Personal Information; and
  - b. unlawful access to or processing of Personal Information;
- (vi) Personal Information is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
  - a. be notified that their Personal Information is being collected by ITC CREDIT BUREAU;
  - b. request confirmation whether ITC CREDIT BUREAU holds Personal Information about them, and to access a description of the information or a record thereof. Any request for information must be handled in accordance with the provisions of this Manual;
  - c. request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained Personal Information.
  - d. object to ITC CREDIT BUREAU's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to ITC CREDIT BUREAU's recordkeeping requirements and duties in terms of the other applicable laws);
  - e. object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications;

- f. to be informed about a breach or unauthorised data access;
- g. log a complaint to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and institute civil proceedings regarding the alleged non-compliance with the protection of his/her or its Personal Information.

*The categories of data subjects in respect of whom ITC CREDIT BUREAU processes personal information and the nature or categories of the personal information being processed are depicted in **Table 4**.*

<b>Table 4</b>		
<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>	<b>Purpose</b>
Clients and prospective clients (including Debtors)	Names, ID numbers, date of birth, company names, registration number, VAT numbers, email address, physical address, postal address, contact numbers, company registration numbers, BBBEE ratings, confidential correspondence, financial data.	To service our clients and to invoice them for the products sold or services rendered.
Service Providers (including Suppliers/Vendors/Creditors)	Names, registration number, VAT numbers, physical address, email address, postal address, contact numbers, company registration information, BEE status documents, SARS Tax Clearance, bank details, financial data, confidential correspondence.	To engage and pay service providers for products received or services that they have performed.
Consumers	Identification records of consumers Consumer credit information as defined in the National Credit Act Credit records or other research conducted by ITC Credit Bureau; Personal and information collected through websites;	To provide consumer credit information to our clients

Table 4		
Categories of Data Subjects	Personal Information that may be processed	Purpose
	Any records provided by a consumer to ITC Credit Bureau Any records provided by a third party that relates to a consumer Records generated by or within ITC Credit Bureau pertaining to consumers. Financial and employment history.	
Employees and Contractors	Name and surname, ID numbers, passport, date of birth, marital status, next of kin and family details, email address, physical address, postal address, education and qualifications, gender and race, contact numbers, bank details, salary/remuneration amount, tax details, health status (i.e. disability, pregnancy) and criminal record checks.	To employ staff and contractors. To maintain employee records. To pay the employees and contractors. To comply with the necessary legislation and with company policies and procedures.

**10.3 The recipients or categories of recipients to whom the personal information may be supplied**

*The person or category of persons to whom ITC CREDIT BUREAU may disseminate personal information is depicted in **Table 5**.*

Table 5	
Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Names and Surname, Identity number for criminal checks	South African Police Services

Table 5	
Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Names and Surname, Identity number, qualifications for qualification verifications	South African Qualifications Authority

#### 10.4 Planned transborder flows of personal information

*ITC CREDIT BUREAU does not intend to transfer Personal Information outside of South Africa, but it may do so to secure or backup such Personal Information or for technical reasons. If Personal Information is transferred offshore, ITC CREDIT BUREAU will only transfer such Personal Information to other countries who have similar privacy and data protection laws as those in South Africa, as required by section 72 of POPIA.*

#### 10.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

*ITC CREDIT BUREAU is committed to ensuring that personal and sensitive Information is secure. In order to prevent unauthorised access or disclosure to any Personal Information, ITC CREDIT BUREAU has put in place suitable physical, electronic and managerial procedures to safeguard and secure the information it collects.*

*ITC CREDIT BUREAU makes use of secure data transmission and storage technologies to reasonably protect personal and sensitive Information from unauthorised disclosure and to maintain the integrity of your personal and sensitive Information. ITC CREDIT BUREAU organisation takes all reasonable technical and organisational measures to ensure the security of Personal and sensitive Information.*

*ITC CREDIT BUREAU have comprehensive information security policies and procedures and have implemented security measures the cover the following areas:*

- 1. Physical – Personal and sensitive information processed at reputable data centres in South Africa with the necessary physical measures in place*
- 2. Logical – Only people that must have access to information/data to perform their tasks have that access. Strong passwords are used to access information/data that is classified as restricted/confidential.*

3. *Operational – Anti-malware and anti-virus solutions are used, vulnerability tests are done and backups are made on a regular basis.*
4. *Employees – Prospective employees have been screened before appointment. Employees are also trained in relation to policies and procedures as and when required.*

## **11. INFORMATION WE HOLD TO COMPLY WITH THE LAW**

*Where applicable to its operations, ITC CREDIT BUREAU also retains records and documents in terms of the legislation described below. 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 the specific Act; the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information. A person can request access by completing Form 2 as per the PAIA regulations (27 August 2021) (Refer Annexure A for example of Form 2).*

*It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in paragraph 6 of this Manual.*

*ITC CREDIT BUREAU hold information in accordance with the following legislation:*

- 11.1 Arbitration Act;
- 11.2 Auditing Professions Act;
- 11.3 Basic Conditions of Employment Act, 75 of 1997;
- 11.4 Broad – Based Black Economic Empowerment Act, 53 of 2003;
- 11.5 Companies Act, 71 of 2008;
- 11.6 Compensation for Occupational Injuries and Diseases Act, 130 of 1993;
- 11.7 Competition Act, 89 of 1998;
- 11.8 Constitution of the Republic of South Africa 1996;
- 11.9 Consumer Protection Act, 68 of 2008;
- 11.10 Copyright Act, 98 of 1978;
- 11.11 Criminal Procedure Act 51 of 1977;
- 11.12 Customs and Excise Act, 91 of 1964;
- 11.13 Debt Collectors Act 114 of 1998;
- 11.14 Domicile Act 3 of 1992;
- 11.15 Electronic Communications and Transactions Act, 25 of 2002;
- 11.16 Employment Equity Act, 55 of 1998;
- 11.17 Estate Agencies Affairs Act, 112 of 1976
- 11.18 Financial Advisory and Intermediary Services Act 37 of 2002
- 11.19 Financial Intelligence Centre Act, No 38 of 2001;



- 11.20 Friendly Societies Act
- 11.21 Income Tax Act, 58 of 1962;
- 11.22 Insolvency Act
- 11.23 Intellectual Property Laws Amendment Act, 38 of 1997 as amended;
- 11.24 Labour Relations Act ,66 of 1995;
- 11.25 Labour Relations Act, 66 of 1995;
- 11.26 Long Term Insurance Act, 52 of 1998;
- 11.27 National Credit Act, 34 of 2005;
- 11.28 Occupational Health and Safety Act, 85 of 1993;
- 11.29 Pension Funds Act, 24 of 1956;
- 11.30 Prescription Act, 68 of 1969;
- 11.31 Promotion of Access to Information Act,2 of 2000;
- 11.32 Protection of Personal Information Act, 4 of 2013;
- 11.33 Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
- 11.34 Protection of Constitutional Democracy against Terrorist and related Activities Act;
- 11.35 Protected Disclosures Act 26 of 2000;
- 11.36 Schools Act, 84 of 1996;
- 11.37 Short Term Insurance Act, 53 of 1998;
- 11.38 Skills Development Act, 97 of 1998;
- 11.39 Skills Development Levies Act, 9 of 1999;
- 11.40 Tax Administration Act 28 of 2011;
- 11.41 Tax Administration Laws Amendment Act 44 of 2014;
- 11.42 Trademarks Act 194 of 1993;
- 11.43 Unemployment Insurance Act, 63 of 2001;
- 11.44 Unemployment Insurance Contributions Act, 4 of 2002;
- 11.45 Value Added Tax Act, 89 of 1991
- 11.46 Such other legislation as may from time to time be applicable.

## **12. HOW MUCH WILL IT COST YOU?**

- 12.1 Section 52(3) of PAIA states that fees payable for access to records are to be prescribed.
- 12.2 Refer to Annexure B for the fees schedule in respect of private body's that was published in the PAIA regulation dated 27 August 2021.

## **13. AVAILABILITY OF THE MANUAL**

- 13.1 A copy of the Manual is available-

- 13.1.1 on website of [www.itc.co.za](http://www.itc.co.za) =;
- 13.1.2 head office of ITC Credit Bureau (Pty) Ltd for public inspection during normal business hours;
- 13.1.3 to any person upon request; and
- 13.1.4 to the Information Regulator upon request.

#### **14. UPDATING OF THE MANUAL**

The Chief Executive Officer of ITC Credit Bureau (Pty) Ltd will on an annual basis update this manual.

***Issued by***



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***Remo Lenisa***  
***Chief Executive Officer***

**ANNEXURE A - FORM 2 - REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer


*(Address)*

E-mail address:

Fax number:

Mark with an "X"

- Request is made in my own name     
  Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

**PARTICULARS OF RECORD REQUESTED**

*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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)*

Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	
<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b>	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEES</b>	
a) <i>A request fee must be paid before the request will be considered.</i> b) <i>You will be notified of the amount of the access fee to be paid.</i> c) <i>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.</i> d) <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

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**FOR OFFICIAL USE**

Reference number:	
Request received by: <i>(State Rank, Name and Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
**Signature of Information Officer**

### ANNEXURE B - FEES SCHEDULE

The fees schedule for private body's as per the PAIA regulation dated 27 August 2021 is depicted below.

<b>Nr</b>	<b>Item</b>	<b>Cost per A4 Size page or part thereof/item</b>	<b>Number of pages/items</b>	<b>Total</b>
1	The requester fee payable by every requestor			R 140.00
2	Photocopy	R2.00 per page or part thereof	To be advised	To be advised
3	Printed copy	R2.00 per page or part thereof	To be advised	To be advised
4	For a copy in a computer-readable form on: (i) Flash drive To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	R 40.00  R 40.00 R 60.00	To be advised	To be advised
5	For a transcription of visual images per A4 size-page	Service to be outsourced. Will depend on the quotation of the service provider	To be advised	To be advised
6	Copy of visual images		To be advised	To be advised
7	Transcription of an audio record, per A4-size	R24.00	To be advised	To be advised
8	Copy of an audio record (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00  R40.00 R60.00	To be advised	To be advised
9	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed the total cost of	R 145.00  R 435.00	To be advised	To be advised
10	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.	To be advised	To be advised
11	Postage, email or any other electronic transfer.	Actual costs	To be advised	To be advised
<b>TOTAL</b>				To be advised