

**DEMANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF  
2000 (“PAIA”)**

**AS AMENDED BY THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 (“POPIA”)**

**NRB Risk Solution (Pty) Ltd**

**(REG. NO.: 2007/001225/06)**

**(NRB RISK SOLUTIONS)**



## **1 Introduction**

- 1.1 This Manual constitutes the Company PAIA manual.
- 1.2 This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("POPIA"). POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.
- 1.3 This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.
- 1.4 For purposes of this Manual, we refer to ourselves as "The Company", "we", "us" or "our".

## **2 Who Are We - About Us And Our Business**

- 2.1 Our soul focus is the recovery of bad debt for external companies, mainly in the retail and banking sectors.

## **3 Our Contact Details**

- 3.1 All requests for access to records in terms of the Act for The Company must be in writing and must be addressed to the Chief Information Officer, at the contact details below;

Information Officer: Jimmy Schmidt

Postal Address: As per street address below

Street Address: Ground Floor Building 2, Omni Park, Cnr Sailor Malan Drive & Aerodrome Road, Aero-ton, 2013

Contact number: 011 494 6300

Email address: jimmys@nrbrisk.co.za

## **4 PAIA Guide**

4.1 In order to assist those who are not familiar with PAIA or POPIA, a Guide that contains information to assist you in understanding how to exercise your rights under PAIA (“the Guide”) is available in all the South African official languages.

4.2 If you have any queries, or need a copy of the Guide, please contact the Information Regulator directly at:

The Information Regulator (South Africa)

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

P.O Box 31533, Braamfontein, Johannesburg, 2017

Complaints email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

General enquiries email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za).

## **5 Information That Is Automatically Available Without A PAIA Request**

5.1 The information available on our website, may be automatically accessed by you without having to go through the formal PAIA request process.

## **6 Records Kept In Terms Of The Other Legislation**

6.1 We are subject to many laws and regulations, some of which require us to keep certain records.

6.2 These laws are detailed in Appendix E attached hereto:

6.3 Note that the list is not exhaustive.

## **7 Description Of Subjects We Hold Records On And Categories Of Records**

7.1 Described below are the records which we hold, divided into categories for ease of reference:

### **Financial Records**

Client contracts

Client contact details

Client banking details for pay over requirements

### **Personnel Documents and Records**

Staff contracts with personal details

Banking details

Tax numbers

### **Income Tax Records**

Personnel details for tax payments

## Customer Debtors handed over for collection

Minimum information to establish:	Amount owing
	Contact information (as per client records)
	Enriched contact information from Credit Bureau

## 8 Information Related to POPIA

- 8.1 Requests for personal information under POPIA must be made in accordance with the provisions of PAIA. This process is outlined in paragraph 9 below
- 8.2 If we provide you with your personal information, you have the right to request the correction, deletion or destruction of your personal information, in the prescribed form. You may also object to the processing of your personal information in the prescribed form.
- 8.3 We have attached the prescribed forms to this Manual for your convenience.
- 8.4 We will give you a written estimate of the fee for providing you with your personal information, before providing you with the services. We may also require you to provide us with a deposit for all or part of the fee prior to giving you the requested personal information.
- 8.5 Purpose of processing
- 8.5.1 POPIA provides that personal information may only be processed lawfully and in a reasonable manner that does not infringe your (the data subject's) privacy.
- 8.5.2 The type of personal information that we process will depend on the purpose for which it is collected.
- 8.5.3 The personal information that we keep of a debtor is the minimum information required to trace, establish contact and attempt to recover the debt owed to our client.
- 8.6 Personal information that is processed; category of data subject; and category of personal information include,
- 8.6.1 **Clients** – Juristic persons: name of body; contact details; physical and postal addresses; company registration number; contracts; confidential correspondence; debtor hand overs; banking details.
- 8.6.2 **Debtors (Handed over)** – natural persons: names; contact details; physical and postal addresses; date of birth; ID number; debt related information; nationality; gender; confidential correspondence; banking details.

- 8.6.3 **Personnel** – natural persons: names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; employment contract; confidential correspondence; banking details.
- 8.7 Categories of recipients for purposes of processing personal information
- 8.7.1 We may supply personal information to these potential recipients:
- 8.7.1.1 Transaction Capital Payment Solutions (processes our banking transactions)
- 8.7.2 We may disclose personal information we collected to credit bureaus for enrichment.
- 8.7.3 We endeavour to enter into written agreements to ensure that other parties comply with our confidentiality and privacy requirements. Personal information may also be disclosed where we have a legal duty or a legal right to do so.
- 8.8 Actual or planned trans-border flows of personal information
- 8.8.1 We may disclose personal information we collected to our shareholders, funders or third-party service providers, with whom we engage in business or whose services or products we elect to use, including cloud services hosted in international jurisdictions. **Not currently the case.**
- 8.8.2 We endeavour to enter into written agreements to ensure that other parties comply with our confidentiality and privacy requirements. Personal information may also be disclosed where we have a legal duty or a legal right to do so.
- 8.9 General description of information security measures
- 8.9.1 The Company employs appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information. These measures include
- 8.9.1.1 In terms of the IT security practices:
- 8.9.1.1.1. Everyone is domain joined, on Windows 10 and protected by ESET
- 8.9.1.1.2. USB access is limited
- 8.9.1.1.3. Browser access is locked down and limited
- 8.9.1.1.4. The Servers are protected by Sentinel under an SLA with an external service provider
- 8.9.1.1.5. Every site has a firewall and the network is managed by an external service provider
- 8.9.1.1.6. Email is secured by Mimecast

- 8.9.1.1.7. Daily Backups
- 8.9.1.1.8. Nothing in the cloud
- 8.9.1.1.9. Written to a separate server
- 8.9.1.1.10. Written to Tape and taken to Metrofile for off-site recovery
- 8.9.1.1.11. Replicated to a Disaster Recovery Site in Centurion

## **9 Request Procedure**

### **9.1 Completion of the prescribed form**

- 9.1.1 Any request for access to a record from a private body in terms of PAIA must substantially correspond with the form attached hereto marked Appendix A - FORM C - Request for access to record of private body (Section 53(1) of PAIA) [Regulation 10].
- 9.1.2 A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.

### **9.2 Payment of the prescribed fees**

- 9.2.1 A Fee may be payable, depending on the type of information requested, as described under Appendix B - Fees in respect of private bodies.
- 9.2.2 There are two categories of fees which are payable:
  - 9.2.2.1 The request fee: R50
  - 9.2.2.2 The access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs.
- 9.2.3 Section 54 of PAIA entitles The Company to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA.
- 9.2.4 Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.
- 9.2.5 POPIA provides that a data subject may, upon proof of identity, request The Company to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.
- 9.2.6 POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, The Company must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.

## **10 Objection**

- 10.1 POPIA provides that a data subject may object, at any time, to the processing of personal information by The Company, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Appendix C - FORM 1 - Objection to the processing of personal information in terms of section 11(3) of POPIA Regulations relating to the protection of personal information, 2018 [Regulation 2] and submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.

## **11 Correction**

- 11.1 A data subject may also request The Company to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that The Company is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
- 11.2 A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as Appendix D - 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 POPIA's Regulations relating to the protection of personal information, 2018 [Regulation 3]

## **12 Proof Of Identity**

- 12.1 Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

## **13 Timelines For Consideration Of A Request For Access**

- 13.1 Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.
- 13.2 Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

## **14 Grounds For Refusal Of Access And Protection Of Information**

- 14.1 There are various grounds upon which a request for access to a record may be refused. These grounds include:
- 14.1.1 the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
  - 14.1.2 the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
  - 14.1.3 if disclosure would result in the breach of a duty of confidence owed to a third party;
  - 14.1.4 if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
  - 14.1.5 if the record was produced during legal proceedings, unless that legal privilege has been waived;
  - 14.1.6 if the record contains trade secrets, financial or sensitive information or any information that would put The Company at a disadvantage in negotiations or prejudice it in commercial competition; and/or
  - 14.1.7 if the record contains information about research being carried out or about to be carried out on behalf of a third party or by The Company.
- 14.2 Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.
- 14.3 If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

## **15 Remedies Available To A Requester On Refusal Of Access**

- 15.1 If the Information Officer decides to grant a requester access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.
- 15.2 There is an appeal procedure that may be followed after a request to access information has been refused, which will be described in the correspondence addressed to you by the Information Officer.
- 15.3 In the event that you are not satisfied with the outcome of the appeal, you are entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.



- 15.4 Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

## **16 Availability Of This Manual**

- 16.1 Copies of this Manual are available for inspection, free of charge, at the registered offices of The Company at the address listed above
- 16.2 Copies will also be made available on the Company website/s.



REPUBLIC OF SOUTH AFRICA

FORM C
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 10]

A. PARTICULARS OF PRIVATE BODY

The Head:

[Redacted area for Particulars of Private Body]

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- (a) The particulars of the person who requests access to the record must be given below.
(b) The address and/or fax number in the Republic to which the information is to be sent must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached

Full names and surname: [Redacted]

Identity number: [Grid]

Postal address: [Redacted]

Telephone number: [Redacted] Fax number: [Redacted]

E-mail address: [Redacted]

Capacity in which request is made, when made on behalf of another person:

[Redacted area for Capacity in which request is made]

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: [Redacted]

Identity number: [Grid]

**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:

.....  
...  
.....  
...  
.....

**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:

.....  
.  
.....

**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.

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

.....

.....

.....

**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

## Appendix B

### FEES IN RESPECT OF PRIVATE BODIES

1. The “request fee” payable by a requester, other than a personal requester, referred to in section 54(1) of the Act, is R50
2. The “fees for reproduction” referred to in section 52(3) and “access fees” payable by a requester referred to in section 54(7), unless exempted under section 54(8) of the Act, are as follows:
  - (a) for every photocopy of an A4-size page or part thereof - R1 - R10
  - (b) for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form - R0 - R75
  - (c) for a copy in a computer-readable form on:
    - (i) stiffy disc - R7 - R50
    - (ii) compact disc - R70
  - (d) (i) for a transcription of visual images, for an A4-size page or part thereof - R40;  
(ii) for a copy of visual images - R60
  - (e) (i) for transcription of an audio record, for an A4-size page or part thereof - R20;  
(ii) for a copy of an audio record - R30
  - (f) To search for the record for disclosure, R30 for each hour or part of an hour reasonably required for such search.

The actual postal fee is payable when a copy of a record must be posted to a requester Exemptions from paying “access fees”

Person or persons exempted from paying access fees:

- (i) A single person whose annual income does not exceed R 14,712.00; or
- (ii) Married persons or a person and his/her life partner whose annual income does not exceed R 27,192.00

**Appendix C**

**FORM 1 - OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION  
IN TERMS OF SECTION 11(3) OF POPIA**

**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.

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
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>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	

<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f)</b> <i>(Please provide detailed reasons for the objection)</i>

Signed at ..... this ..... day of .....20.....

.....

*Signature of data subject/designated person*



**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:**

or  Correction or deletion of the personal information about the data subject which is in possession 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):	
Fax number/ E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED</b>
<b>D</b>	<p><b>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</b></p> <p><b>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</b></p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at ..... this ..... day of .....20.....

.....  
*Signature of data subject/ designated person*

## Appendix E

### **Table of Legislation**

Records are kept in accordance with such other legislation as is applicable to The Company, which includes but is not limited to the following:

Debt Collectors Act 114 of 1998