

TransUnion Manual to Access Information in terms of PAIA (“PAIA Manual”)

This manual was prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”), and to address some of the requirements of the Protection of Personal Information Act, No.4 of 2013 (“POPIA”).

November 2, 2023



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1. SCOPE

This PAIA Manual is for TransUnion Africa Holdings (Pty) Ltd; TransUnion Africa (Pty) Ltd; TransUnion Analytic and Decision Services (Pty) Ltd; TransUnion Auto Information Solutions (Pty) Ltd; and TransUnion Credit Bureau (Pty) Ltd. These entities will collectively be referred to as “TransUnion”.

2. INTRODUCTION

2.1 ABOUT TRANSUNION

Our mission is to help people gain access to opportunities that can improve their quality of life. We do this by providing the most complete and multidimensional information available to help our customers make the best possible choices.

We value our customers’ success as much as our own. That’s why we go beyond credit data to offer the insights businesses and consumers need to make informed decisions and achieve great things. We believe that if you keep building on good choices, you’ll continue to create solid opportunities.

We partner with banks, healthcare providers, property managers and other companies to help our customers see a bigger picture and apply effective business strategies. Our services and solutions enable our customers to use a wealth of information to make better decisions, be more competitive and take more calculated risks.

TransUnion currently operates in 8 countries in Africa, namely, Botswana, Kenya, Namibia, Rwanda, South Africa, eSwatini, Zambia and Malawi. We offer commercial, consumer, insurance and motor vehicle risk information solutions across a number of industries, as well as personal credit management solutions in Africa.

2.2 ABOUT THIS PAIA MANUAL

PAIA gives effect to the constitutional right of access to any information held by the state and any information that is held by any private or public body and that is required for the exercise or protection of any rights. Where a party wishes to request information which they do not have a direct right to, but which information is needed in order to protect a right of their own, they will use the procedure set out in the PAIA manual to request such information.

In addition, the POPIA promotes and provides for the protection of personal information processed by public and private bodies. POPIA amended certain provisions of PAIA, balancing the need to access to information against the need to ensure the protection of personal information.

Accordingly, the purpose of this PAIA Manual is to inform a person of the process to obtain access to records held by TransUnion, thereby giving effect to section 51 of PAIA.

This PAIA Manual complies with the requirements of the guide mentioned in Section 10 of PAIA and recognises that upon commencement of POPIA, that the appointed Information Regulator will be responsible for regulating compliance with PAIA and its accompanying regulations applicable to private and public bodies.

Both PAIA and POPIA recognise that the right of access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to: ·

- limitations aimed at the reasonable protection of privacy; ·
- commercial confidentiality;
- effective, efficient and good governance; and
- and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution of the Republic of South Africa, Act 108 of 1996, as amended and POPIA.

This right of access may not be used to access records under criminal or civil proceedings, or where such proceedings have commenced. This PAIA Manual informs requesters of procedural and other requirements that a request must meet as prescribed by PAIA and POPIA. A requester has the right to submit a request, after providing adequate proof of identity and after payment of any fee required by law (if applicable).

This PAIA Manual is available for public inspection, upon request, during office hours and free of charge at our offices at 10th Floor, 11 Alice Lane, Sandton, 2196.

Please note: All requests for access to information and the correction, deletion of or objection to processing in terms of Sections 11, 23 and 24 read together with Regulations 2 and 3 of POPIA should be made by sending your request per email to TUAPrivacy@transunion.com or phone 0861 482 482.

3. CONTACT DETAILS OF TRANSUNION AND THE INFORMATION OFFICER

The responsibility for administration of, and compliance with PAIA and POPIA have been delegated to the Information Officer.

Requests pursuant to the provisions of PAIA and POPIA should be directed to the Information Officer as follows:

CONTACT DETAILS OF TRANSUNION & INFORMATION OFFICER	
Information Officer	Annemie Botha
Deputy Information Officer	Mellissa le Roux
Postal Address	PO Box 4522 Johannesburg 2196
Physical Address	10 th Floor, 11 Alice Lane Sandton 2196
E-mail Address	TUAPrivacy@transunion.com
Website	www.transunion.co.za
Contact Centre	0861 482 482

You can also contact the Information Regulator if you need guidance on the process to access information held by TransUnion:

CONTACT DETAILS OF THE INFORMATION REGULATOR

Postal Address	P.O. Box 31533, Braamfontein Johannesburg, 2017
Physical Address	JD House, 27 Stiemens Street, Braamfontein Johannesburg, 2001
Website	www.inforegulator.org.za
E-mail Address	PAIAComplaints@inforegulator.org.za

4. RECORDS OF TRANSUNION

4.1 VOLUNTARY DISCLOSURE & AUTOMATIC AVAILABILITY OF CERTAIN RECORDS (Section 51(c))

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

Records of a public nature, typically those disclosed on the TransUnion website and in its various annual reports, incl. marketing brochures, advertising material and other public communications, may be accessed without the need to submit a formal application.

4.2 RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION (Section 51(d))

Records held by TransUnion in accordance with legislation set out below:

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Constitution of South Africa Act 108 of 1996
- Consumer Protection Act 68 of 2009
- Copyright Act 98 of 1987
- Customs and Excise Act 91 of 1964
- Electronic Communications and Transactions Act 2 of 2000
- Employment Equity Act 55 of 1998

- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendment Act, No 38 of 1997
- Labour Relations Act 66 of 1995
- Long Term Insurance Act 52 of 1998
- National Credit Act 34 of 2005
- National Road Traffic Act 93 of 1996
- Occupational Health and Safety Act 85 of 1993
- Prescription Act 18 of 1943
- Prevention & Combating of Corrupt Activities Act 12 of 2004
- Prevention of Constitutional Democracy Against Terrorist & Related Activities Act 33 of 2004
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protected Disclosures Act 26 of 2000
- Promotion of Access to Information Act, No 2 of 2000
- Protection of Personal Information Act, No. 4 of 2013
- Regulation of Interception of Communications and
- Short-Term Insurance Act 53 of 1998
- Skills Development Act 97 of 1997
- Skills Development Levies Act 9 of 1999
- South African Reserve Bank Act 90 of 1989
- Trade Marks Act 194 of 1993
- Transfer Duty Act 40 of 1949
- Trust Property Control Act 57 of 1988
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Fund Contributions Act 4 of 2002
- Value-Added Tax Act 89 of 1991

Note the above list is not exhaustive and may be amended and/or updated from time to time as the business and regulatory landscapes evolve.

Unless disclosure is prohibited in terms of legislation, regulations, contractual obligations or otherwise, TransUnion will make such records available for inspection to the interested party who is entitled to the information in terms of PAIA, the specific legislation and any internal policies and procedures from TransUnion.

Also note that accessibility of the documents and records may be subject to the grounds of refusal set out in this PAIA Manual.

4.3 CATEGORIES OF RECORDS HELD BY TRANSUNION

This section serves as a reference to the records that TransUnion holds. It is recorded that the accessibility of the records listed below, may be subject to the grounds of refusal set out hereinafter. The information is classified and grouped according to records relating to the subjects and categories outlined below.

Please take note that categories listed below are not exhaustive.

Subject & Purpose	Category
<p>Statutory Company Records</p>	<ul style="list-style-type: none"> • Company structure documents • Memorandum of Incorporation & related documents • Trust deeds • Statutory returns • Shareholders agreements • Registers of directors, shareholders, resolutions and other statutory registers • Minutes of meetings of the board of directors and shareholders • Proxy forms • Written resolutions • Records relating to appointment of company directors, auditors, secretary, public officers, and/or other officers • Trademark, trade name and domain name registrations • Other statutory records
<p>Financial Records</p>	<ul style="list-style-type: none"> • Accounting records, annual financial reports and annual financial statements • Asset registers • Bank accounts, bank statements and banking records • Financial agreements • Creditors and debtors invoices and statements • Tax records and returns • Rental agreements • Purchase orders • Insurance policies • Finance policies and procedures

<p>Income Tax Records</p>	<ul style="list-style-type: none"> • PAYE records • Documents issued to employees for income tax purposes • Tax returns • VAT records • Records of payment made to SARS on behalf of employees • Regional services levies • Skills development levies • UIF • Workmen’s compensation
<p>Employee Records</p>	<ul style="list-style-type: none"> • Employee information • Personal records provided by employees • Records regarding employees provided by third parties • Conditions of employment and other employment contracts • Employment equity plan and reports • Medical scheme records • Pension/provident fund records • Salary records • Leave records and absence management records • Internal evaluations and performance records • Training records
<p>Customer Related Records</p>	<ul style="list-style-type: none"> • Records provided by a customer directly to TransUnion, including: <ul style="list-style-type: none"> ○ Records provided by a customer to a third party acting for or on behalf of the group; ○ Records provided by a third party; and ○ Records generated by or within the group relating to its customers, including transactional records. • Personal records of consumers • Consumer credit information • Credit records or other research conducted by TransUnion • Personal and customer information collected through websites • Information on customer activities and preferences • Any record provided by a customer to the company • Confidential records of customers • Records generated by or within TransUnion pertaining to customers. This may include, but not be limited to transactional records.
<p>Internal Records</p>	<ul style="list-style-type: none"> • Operational records • Databases • Information technology records • Marketing records • Internal and external correspondence • Product records • Statutory records

	<ul style="list-style-type: none"> • Internal policies and procedures • Supervisory body-related records • Internal audit and risk management records • Securities and equities • Records held by officials of the group
Other Records	<ul style="list-style-type: none"> • Employee, customer or private body records, which are held by another party, as opposed to the records held by TransUnion itself. • Records held by TransUnion pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about contractors/suppliers. <p>TransUnion may possess records pertaining to other parties, including without limitation contractors, job applicants, operators (suppliers and third parties). Alternatively, such other parties may possess records that can be said to belong to TransUnion.</p>

4.4 CATERGORIES OF DATA SUBJECTS

TransUnion process personal information of various categories of data subjects:

Category	Purpose
Consumers	Provide consumers with consumer credit reports and access to information requested.
Clients	Render services to our clients and invoice them for products and services utilized by them.
Employees, Prospective Employees, Contractors and Temporary Staff	Employ and pay associates and contractors. Comply with legal obligations.
Third-Party Suppliers and Vendors	Engage and pay the third-party supplier or vendor for the products or services provided by.

4.5 CATEGORIES OF RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED

TransUnion shares personal information with the following categories of recipients:

- TransUnion group companies
- Clients permitted to access the personal information
- Service Providers of products or services
- Employees, contractors or temporary staff
- Regulatory and government authorities

4.6 TRANSBORDER INFORMATION FLOWS

TransUnion transfers personal information outside the borders of South Africa in compliance with Section 72 of POPIA. See our Privacy Notices for further information about transborder flow of personal information.

4.7 DESCRIPTION OF INFORMATION SECURITY MEASURES

TransUnion is a leading provider of information and related services in South Africa. We serve both consumers and businesses, providing credit and fraud-prevention data and information-based solutions. Information security is of vital importance to our company, which operates in a highly regulated industry. TransUnion recognises the confidential nature of personal information and complies with all relevant laws of South Africa. Customers who lawfully access credit information from us must be approved through our onboarding process and must have a permissible purpose for obtaining such credit information.

TransUnion has an information security programme, which includes a policy and standard operating procedures to protect consumer information. This information security programme includes the implementation of, and measures to maintain, reasonable and appropriate administrative, technical, and physical security safeguards to: (a) ensure the security and confidentiality of non-public personal information that TransUnion receives and is obligated to maintain in confidence; (b) protect against anticipated threats or hazards to the security or integrity of such non-public personal information; and (c) protect against unauthorised access or use of such non-public personal information that could result in substantial harm or inconvenience to any consumer.

4.8 INFORMATION REQUESTED ABOUT A THIRD PARTY

Section 71 of the Act makes provision for a request for information or records about a third party.

In considering such a request, TransUnion will adhere to the provisions of section 71 of PAIA.

The attention of the requester is drawn to the provisions of Chapter 5, Part 3 of PAIA in terms of which TransUnion is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of PAIA entitle third parties to dispute the decisions of the head or the information officer by referring the matter to the High Court.

5. REQUESTING ACCESS TO INFORMATION IN TERMS OF PAIA

5.1 GENERAL

Access to records held by TransUnion in terms of section 51(1)(d) – (e) and as set out in sections 5.2 – 5.3 of this PAIA Manual is not automatic and may be subject to the grounds for refusal set out in this PAIA Manual. Each request received requesting access to information in terms of this PAIA Manual will be evaluated on a case-by-case basis in accordance with the provisions of Chapter 4 of PAIA.

5.2 PROCEDURES TO REQUEST ACCESS TO A RECORD

Prescribed Form

You must comply with all the procedural requirements contained in PAIA relating to the request for access to a record.

Please complete the prescribed form (Form 02 to PAIA) in full and submit it together with payment of a request fee and a deposit, if applicable, to the Information Officer at the contact details as set out in section 3 above.

The prescribed form must be completed with sufficient detail to enable the Information Officer to identify at least –

- the record/s requested;
- proof of identity of the requester;
- which form of access is required, if the request is granted; and
- postal or email address of the requester.

You must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right. This right of access may not be used to access records under criminal or civil proceedings, or where such proceedings have commenced. This right of access only applies to records in existence at the time of request.

If you are making a request on behalf of another person, you must also submit satisfactory proof of the capacity in which you are making the request.

Applicable Time Periods

TransUnion will respond to your request within 30 days after receipt of a valid and complete request by indicating whether your request for access to the record/s has been granted or refused. This period may be extended by an additional 30 days if –

- the request is for a large number of records or requires a search through a large number of records;
- the search for the records is to be conducted at premises not situated in the same town or city as the head office of TransUnion and the record cannot be obtained within the original 30 day period;
- internal or external consultation is required to decide whether or not the request may be granted; or
- the requester consents to such an extension in writing.

TransUnion must receive payment of the prescribed fee and, if applicable, the deposit before we are able to process your request for access.

5.3 GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

TransUnion may refuse a request for access to information on the following grounds as set out in Chapter 4 of PAIA:

- To protect privacy of a third party who is a natural person if the disclosure would involve the unreasonable disclosure of personal information about the third party, incl. a deceased individual.
- To protect commercial information of a third party if the record contains –
 - trade secrets of a third party;
 - financial, commercial, scientific or technical information which disclosure would likely cause harm to the commercial or financial interests of the third party; or
 - information supplied in confidence by the third party to TransUnion, which, if disclosed, could put the third party at a disadvantage in contractual or other negotiations, or prejudice that third party in commercial competition.

- To protect certain confidential information of a third party if disclosure would constitute an action for breach of a duty of confidence owed to a third party under an agreement with TransUnion.
- To protect the safety of individuals and protect property if the disclosure could endanger the life or physical safety of an individual; or would likely prejudice or impair the security of property.
- To protect records privileged from production in legal proceedings.
- To protect commercial information of a private body, such as TransUnion, incl. –
 - trade secrets of TransUnion;
 - financial, commercial, scientific or technical information which disclosure would likely cause harm to the commercial or financial interests of TransUnion;
 - information of TransUnion, which, if disclosed, could put us at a disadvantage in contractual or other negotiations, or prejudice us in commercial competition; or
 - a software program owned by TransUnion and which is protected by copyright.
- To protect research information of TransUnion or a third party which disclosure would likely expose TransUnion or the third party; a person carrying out the research on behalf of TransUnion or the third party; or the subject matter of the research to serious disadvantage TransUnion or the third party.

If your request for access is refused, the Information Officer will notify you in writing. The notice will include the reasons for the refusal and that you may lodge an appeal with the High Court against the refusal of the request (including the period) for lodging such an appeal. If you paid a deposit, your deposit will be refunded.

Upon the refusal by the head or the information officer the deposit paid by the requester will be refunded.

If the Information Officer fails to respond within 30 days after your request has been received, it is deemed that your request has been refused.

5.4 RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

Where TransUnion have taken all reasonable steps to find a record and such record cannot be found or does not exist, the Information Officer will notify you of this by way of an affidavit or affirmation.

This notification must give full account of all steps taken to find the requested record to determine the existence of the record. The notification must also include all communications with every person who conducted the search on behalf of the Information Officer.

The notice described above is deemed to be a notice of refusal of access to that record.

5.5 FEES

PAIA provides for two types of fees, namely –

- a request fee, which is a non-refundable standard fee to consider the access request; and
- an access fee, which must be calculated by considering the reproduction costs, search and preparation time and cost, as well as postal costs.

Request Fee

No request fee is payable by a requester who requests access to a record containing personal information about that requester.

Where TransUnion has voluntarily provided the Minister with 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.

Request Fees

Where a requester submits a request for access to a record related to a person other than the requester himself/herself, a request fee in the amount of R50.00 is payable upfront before TransUnion will further process the request received.

Access Fee

You will be notified once the Information Officer has made a decision on your request and if the request is granted, you may be requested to pay an access fee for the search, reproduction, preparation and any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Where the request will likely take longer than 6 hours to process, TransUnion may require a deposit to be paid. The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

The Information Officer may withhold a record until you have paid the fees as indicated below.

Access Fee Description	Amount
For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a copy on a compact disc	R70.00
A transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
A transcript of an audio record, for an A4-size page/part thereof	R20.00
For a copy of an audio record	R30.00
To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)	R30.00

Collection of Fees

Upon receipt of your access request, the Information Officer must notify you and may request you to pay the prescribed fee (if any) before the request is further processed.

The Information Officer will provide you with the bank account details for TransUnion in which account the initial request fee should be deposited. A copy of the deposit slip, application form and other correspondence / documents, forwarded to the Information Officer via the email address stipulated in section 3 of this Manual.

All fees are subject to change as allowed for in the Act and as a consequence 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.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

5.6 REMEDIES AVAILABLE WHEN TRANSUNION REFUSES A REQUEST FOR INFORMATION

Internal Remedies

TransUnion does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and you will have to exercise such external remedies at your disposal if the request for access to information is refused and you are not satisfied with the reasons for refusal supplied by the Information Officer.

External Remedies

Subject to the provisions of PAIA, a requester that is dissatisfied with the Information Officer's refusal to disclose information, may within 180 days of notification of the decision, apply to a court or to the Information Regulator for relief.

Likewise, a third party dissatisfied with the Information Officer's decision to grant a request for information, may within 180 days of notification of the decision, apply to the Information Regulator or to a court with appropriate jurisdiction for relief.

6. GENERAL

This Manual will be available on TransUnion's website (www.transunion.co.za) and may be amended from time to time. Alternatively, a copy may be requested from the Information Officer by using the contact details in section 3 above.

Nothing in this PAIA Manual shall operate so as to preclude any person requesting information from TransUnion from familiarizing him-, her- or itself with the provisions of the Act.