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PAIA & POPIA MANUAL

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1. Definitions

As per the context of the Protection of Personal Information Act (POPIA) and the Promotion of Access to Information Act (PAIA), the following definitions are applicable:

“Data Subject” means the person to whom personal information relates.

“Information Officer” means the person acting on behalf of the Company and discharging the duties and responsibilities assigned to the “head” of the Company by the Acts; The Information Officer is duly authorised to act as such, and such authorisation has been confirmed by the “head” of the Company in writing;

“Personal Information” means information about an identifiable individual, including, but not limited to-

- a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual;
- b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- c) any identifying number, symbol or other particular assigned to the individual;
- d) the address, fingerprints or blood type of the individual;
- e) the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;
- f) correspondence sent by the individual that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- g) the views or opinions of another individual about the individual;
- h) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and
- i) the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual but excludes information about an individual who has been dead for more than 20 years.

“Personnel” means any person who works for or provides services to or on behalf of the Company and receives or is entitled to receive any remuneration. This includes, without limitation, directors (both executive and non-executive), all permanent, temporary, and part-time staff as well as contract workers.

“Processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including –

- a) The collection, receipt, recording, organisation, collation, storage, updating, or modification, retrieval, alteration, consultation, or use;

- b) Dissemination by means of transmission, distribution or making available in any other form; or
- c) Merging, linking, as well as restriction, degradation, erasure or destruction of information.

“Record” means any recorded information, regardless of form or medium, which is in the possession or under the control of the Company, irrespective of whether it was created by the Company.

“Request” means a request for access to a record of the Company.

“Requestor” means any person, including a public body or an official thereof, making a request for access to a record of the Company and includes any person acting on behalf of that person.

“Responsible Party” means a public or private body or any other person which, alone or in conjunction with others, determines the purpose and means for processing personal information.

“Unique Identifier” means any identifier that is assigned to a data subject and is used by a responsible party for the purposes of the operations of that responsible party and that uniquely identifies that data subject in relation to that responsible party.

“SAHRC” means the South African Human Rights Commission.

2. Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act (PAIA), 2 of 2000, and describes the type of records held by Infinity Debt Services (Pty)Ltd and the procedures for data subjects to access that information.

As per Section 17 of the Protection of Personal Information Act (POPIA), 2013, a responsible party must maintain the documentation of all processing operations under its responsibility as referred to in section 14 or 51 of the Promotion of Access to Information Act.

The process of requesting information in terms of the Act is subjected to applicable legislative and/or regulatory requirements, and the applicable request forms are available as Annexures within this manual.

Enquiries regarding PAIA and POPIA, can be made via the following channels:

PAIA

The South African Human Rights Commission
PAIA Unit (the Research and Documentation Department)
Postal address: Private Bag 2700, Houghton, 2041
Telephone: +27 11 484-8300
Fax: +27 11 484-7146
Website: www.sahrc.org.za
Email: PAIA@sahrc.org.za

POPIA

The Information Regulator (South Africa)

JD House

27 Stiemens Street

Braamfontein

Johannesburg

2001

Website: www.justice.gov.za

Email: inforeg@justice.gov.za

3. Company Detail

Infinity Debt Services (Pty) Ltd t/a Debtline (2017/134459/07)

Company Detail	
Information Security Officer	The Information Officer
Contact Detail	0876546470
Company Address	24 Hans Strijdom Avenue 1st Floor Icon Building Cape Town 8000
Company Contact Detail	Support Email: enquiries@debtline.co.za Data Privacy: popi@debtline.co.za
Company Website	www.debtline.co.za

The latest copy of this manual is available on the company websites, www.debtline.co.za and can also be requested from the Information Security Officer at Infinity Debt Services (Pty)Ltd. Above table lists the relevant contact details.

4. Company Records

Categories of information held by Infinity Debt Services (Pty)Ltd, are outlined in the following table:

Category	Records
Company and Group information	Company registration document
	Name & Appointment of Directors
	Share Certificates
	Board Meeting Minutes
	Share and statutory Registers
	Appointment of Auditors
Financial Records	Accounting Records
	Annual Financial Statements
	Bank Accounts and statements
	Asset Registers
	Debtors / Creditors statements and invoices

	General Ledgers
	Invoices
	Tax Returns
	Bank accounts and payment information
Income Tax	PAYE Records
	VAT records
	Skills Development Levies
	SARS records
	UIF
Personnel	CV's
	Accident registry
	Address Lists
	Disciplinary codes and records
	Employee benefits
	Employment contracts
	Forms and applications
	Medical aid records
	Leave records
	Skills Development Records
	Copies of ID document
	Copies of qualifications
	Banking details
Procurement	Supplier Agreements
	Supplier Lists
	Policies & Procedures
	BEE Information of Supplier
Sales	Customer details
	Advertising materials
	Digital Properties
	Targeting data
Governance	Audit Reports
	Risk Management Framework
	Risk Register
	Safety, Health & Environment Documents
	Policies & Procedures
	Business Continuity Plan
	Information Security Management System
Information & Communication Technology	Asset Registers
	User Manuals
	Software Development
	Policies & Procedures
	Software Licensing
	Systems Documentation & Manuals
	Database systems

Client Information	
Contact Details	Phone Numbers (Main and Alternate)
	Postal and/or street address
	Email Address
	Emergency contact
	First Name
	Middle Name
	Last Name
	Preferred Name
	Created At
	Updated At
	Omnisend Id (data was sent to 3rd party tool via API confirmation)
Personal Details	Title and name
	Surname
	Marital Status
	ID number
	Nationality
	Gender
	Race
	Dependents
	Next of Kin
	Employer
	Job Title
Financial information	Banking details
	Income
	Budget
	Disposable income
	Creditors
	Debt balances
	Payment history (to Payment Distribution Agent)
	Payment method
	Insurance coverage
	Credit Status
Documents	Marriage certificate

	Copy of ID
	Payslip
	Bank statement
	Divorce decree
	Death certificate
	Certificate of Balance
	Creditor notifications
	Power of Attorney
	Consent
	Mandate
	Credit Life documentation
	Credit Bureau Report
	Forms related to debt review process
Marketing Data	product Id
	User ID
	First and last call date
	Lead source
	Marketing channel ID
	Pipeline ID
	Stage ID
	Stage reason
	Opportunity Pool id
	Expected Close date
	Best time to call
	Opportunity created at
	User name (sales agent related)
	Marketing channel
	Email opt outs
	all telephonic conversation recordings
	all written notes by sales agents regarding customers in the sales funnel in Proteus
	Records of all communications debtline sent to the customers in the sales funnel and their responses (WhatsApp, SMS, Email)

5. Records held as per Legislations

Information is retained in terms of the following legislations and is usually available only to the persons or entities specified in such legislation. Although we have used our best efforts to supply a list of applicable legislation, it is, however, possible that this list may be incomplete.

- a. Basic Conditions of Employment No. 75 of 1997
- b. Companies Act No. 61 of 1973
- c. Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
- d. Constitution of the Republic of South Africa 2008
- e. Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
- f. Copyright Act, No 98 of 1978;
- g. Debtor Collectors Act No. 114 of 1998
- h. Electronic Communications Act, No 36 of 2005;
- i. Employment Equity Act No. 55 of 1998
- j. Finance Act No. 35 of 2000
- k. Financial Services Board Act No. 97 of 1990
- l. Financial Relations Act No. 65 of 1976
- m. Harmful Business Practices Act No. 23 of 1999
- n. Income Tax Act No. 95 of 1967
- o. Insurance Act No 27 of 1943
- p. Intellectual Property Laws Amendments Act No. 38 of 1997
- q. Labour Relations Act No. 66 of 1995
- r. Medical Schemes Act No. 131 of 1998
- s. Occupational Health & Safety Act No. 85 of 1993
- t. Pension Funds Act No. 24 of 1956
- u. Short Term Insurance Act No. 53 of 1998
- v. Skills Development Levies Act No. 9 of 1999
- w. Unemployment Contributions Act No. 4 of 2002
- x. Unemployment Insurance Act No. 63 of 2001
- y. Value Added Tax Act No. 89 of 1991
- z. Financial Intelligence Centre Act, no. 38 of 2001
- aa. Financial Advisory and Intermediary Services Act, no. 37 of 2002
- bb. Such other legislation as may from time to time be applicable.

6. Protection of Personal Information

Infinity Debt Services (Pty)Ltd is capturing, processing, storing, and communicating Personal Identifiable Information (PII) to perform its business functions. It is accountable and a responsible party in ensuring that the PII of a Data Subject

- a. is processed lawfully, fairly, and transparently.
- b. is processed only for the purposes for which it was collected for.
- c. will not be processed for a secondary purpose unless consent is provided.
- d. is accurate and kept up to date;
- e. will not be kept for longer than necessary;
- f. is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, processed, and communicated.

g. is processed in accordance with the rights of Data Subjects, where applicable.

7. Rights of Data Subjects

Data subjects have the following rights:

- To be notified that their Personal Information is being collected.
- To be notified in the event of a data breach.
- To enquire whether Infinity Debt Services (Pty)Ltd holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual.
- To request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or unlawfully obtained personal information.
- To object to the use of their Personal Information and request the deletion of such PII. Deletion is, however, subject to the record keeping requirement of <Infinity Debt Services (Pty)Ltd as well as the national and international regulations and legislations to be adhered to.
- To object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications.
- To complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPI and to institute civil proceedings regarding the alleged noncompliance with the protection of his, her or its personal information.

8. Information security measures

Infinity Debt Services (Pty)Ltd is committed to protect the integrity and confidentiality of personal information in its possession and under its control, by the implementation of a security strategy that includes technical and organisational measures. These include a risk management framework to continuously guide control selection and implementation as well as assessing the effectiveness thereof. The security controls are implemented and monitored as part of the Information Security Management Systems, guided by the Information Security Charter that stipulates the Information Security Objectives of the organisation. The Information Security Policy directs the rules, policies and procedures to ensure data, systems, networks and users within the organisation meet the security requirements.

9. Request for Information

In terms of POPIA, a data subject may, upon providing proof of identity, request Infinity Debt Services (Pty)Ltd to confirm the information being held about the data subject. The data subject may also request access to the information being held, including information about the identity of third parties who have or have had access to such information. The data subject is allowed at any time to object to the processing of information by Infinity Debt Services (Pty)Ltd, unless legislation provides for such processing.

The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record. In order to request the information, the prescribed form (see Form C attached to this document) must be completed, and the requester fee (if applicable) be paid to the Information Officer. The prescribed time periods will not commence until the requester has furnished all the necessary and required information. The Information Officer shall serve a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

The request will be processed within a 30 (thirty) day period, and the outcome of the request will be communicated in writing. This period may be extended by an additional 30 days depending on the complexity of the request requirements.

The process to request information from The Infinity Debt Services (Pty)Ltd is as follows:

- Documentation containing personal identifiable information such as application forms and identification documents must not be sent directly to The Infinity Debt Services (Pty)Ltd via email. If required to communicate personal information, the Information Officer at Infinity Debt Services (Pty)Ltd should be contacted to obtain guidance on secure methods and processes for submission.
- Infinity Debt Services (Pty)Ltd will require proof of identification of the data subject (requestor) or related third parties requesting information on behalf of the requestor for all requests.
- The relevant prescribed form must be used and completed in full to file a request for access to a record. In the event that an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. The following forms are available as part of this manual:
 - Form C: Request for Access to Record of a Private Body.
- Please note that an application for access to information can be refused in the event that the application does not comply with the requirements of PAIA. If access to a record or information is denied, the requestor will be notified, and adequate reasons for the refusal will be provided.
- Should the requester not be satisfied with the decision of the Information Officer, the requester may apply to the court for relief. In terms of PAIA, the said application must be made within 180 days after the decision has been made by the Information Officer.
- The successful completion and submission of the access request does not automatically allow the requestor access to the requested records.
- If access to a record/information is granted, the requestor will be notified, and an indication of the access fee (if any) will be provided.

10. Objection to the Processing of PII

Section 11 (3) of POPI and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time, object to the Processing of his/her/its PII by following the process stipulated in this manual.

11. Request for correction or deletion of PII

Section 24 of POPI and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form. To ensure the lawfulness and correctness of the data, the data subject may also request Infinity Debt Services (Pty)Ltd 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 in terms of POPIA's retention and restriction of records provisions.

12. Fees

Where an institution 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.

PAIA provides for two types of fees, namely a request fee and an access fee:

- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered. Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50-00 is payable up-front before the institution will further process the request received.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to reimburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor. An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54(8). You do not have to pay a request fee if:
 - a. You are a private individual requesting access to your own records/personal information;
 - b. You are single and earning less than R14,812 p/a; or
 - c. You are married (or in a life partnership), and earning less than R27,192 p/a.

Infinity Debt Services (Pty)Ltd may withhold a record until the request fee has been paid.

Item for Reproduction and/or Access	Fee (ZAR)(Ex VAT)
For every photocopy of a a4-size page or part thereof	3.00
For every printed copy of an A4-size page or part thereof held on a Computer or in electronic or machine readable form	0.75
For a copy in computer-readable form on: - 3.5" magnetic disc	7.50

- Optical compact disc	70.00
A transcription of visual images, for an A4-size page or part thereof	40.00
For a copy of visual images	60.00
A transcription of an audio record, for an A4-size page or part thereof	20.00
For a copy of an audio record	30.00
Item for Access	Fee (ZAR)(Ex VAT)
To search for a record that must be disclosed	30.00

Deposits

Where the institution receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

FORM C

<https://debtline.co.za/popi-request>