

PERSONAL INFORMATION PROTECTION ACT 2013 (POPI)

THE ACT

To promote the protection of personal information processed by public and private bodies; to introduce certain conditions so as to establish minimum requirements for the processing of personal information to provide for the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of this act and the Promotion Access to Information Act, 2000; to provide for the issuing of codes of conduct to provide for the rights of persons regarding unsolicited electronic communications and automated decision making; to regulate the flow of personal information across the boards of the republic and to provide for matters connected there with.

RECOGNIZING THAT -

- Section 14 of the constitution of the republic of South Africa, 1996, provides that everyone has the right to privacy.
- The right to privacy includes a right to protection against the unlawful collection, retention, dissemination and use of personal information.
- The state must respect, protect, promote and fulfil the rights in the Bill of Rights;

AND BEARING IN MIND THAT -

- Consonant with the constitutional values of democracy and openness, the need for economic and social progress, within the framework of the information society, required the removal of unnecessary impediments to the free flow of information, including personal information;

AND IN ORDER TO -

- Regulate in harmony with international standards, the processing of personal information by public and private bodies in a manner that gives effect to the right to privacy subject to justifiable limitations that are aimed at protecting other rights and important interests,
 - a) Keeping all personal data as entered or as drawn below:
 - ITS
 - Experian
 - Compuscan
 - Transunion

For tracing purposes.

- b) Information or portion of such information as may be necessary for any application to Court upon any default or breach of the Contract of Agreement or the instructing of a tracer to procure the current whereabouts of such client to enable service of any and/all Court Procedural documentation to be served by the Sheriff and/or by email and/or by a specially designated representative of the Company or Debt Recovery Agency to procure consent of an Acknowledgement of Debt and/or a Garnishee Order to be implemented.
- c) any such records kept will be considered private and confidential and as such, shall not be made public or sold to any marketing company and/or abused in any fashion or manner as stated more fully under Breach of the Terms and Conditions of the Contract of Agreement.