



INFORMATION MANUAL FOR THE RCS GROUP

BNP PARIBAS PERSONAL FINANCE SOUTH AFRICA LTD

(Registration number 2000/017884/06)

and

RCS CARDS (PTY) LTD

(Registration number 2000/017891/07)

and

RCS HOME LOANS (PTY) LTD

(Registration number 2005/020504/07)

and

RCS COLLECTIONS (PTY) LTD

(Registration number 2008/002800/07)

and

MOBICRED (PTY) LTD

(Registration number 2012/163391/07)

(collectively, "RCS Group")

In accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000
(and as referred to in Section 17 and Section 23 of the Protection of Personal Information Act, No. 4 of 2013)

1. Introduction

RCS Group is a private body as defined in PAIA. The RCS Group is a consumer finance business that offers its customers a range of financial services products under its brand names and in association with a number of leading retail and commercial partners. The RCS Group operates in South Africa, Namibia and Botswana. The RCS Group is an independent, JSE debt-listed and highly regulated financial services company. The RCS Group is owned by BNP Paribas Personal Finance Société Anonyme (France), and the ultimate shareholder is BNP Paribas Société Anonyme (France) (hereafter referred to as “BNP Paribas”).

2. Company details

Chief Executive Officer and Information Officer: R. F. Adams

Deputy Information Officers: M. Botes
T. Anderssen
Y. Higgs

Street Address: Mutualpark, Jan Smuts Drive, Pinelands, Cape Town, 7405

Postal Address: Mutualpark, Jan Smuts Drive, Pinelands, Cape Town, 7405

Telephone: 021 597 4000

Website: www.rcsgroup.co.za

E-mail: legal@rcsgroup.co.za

3. How to use this manual

3.1. In this manual, the following words shall bear the meanings given to them below:

“Data Subject”	means a person to whom Personal Information relates.
“Information Regulator”	means the regulator established in terms of POPIA.
“the/this manual”	means this document together with all annexures thereto as available at the offices of RCS Group.
“PAIA”	means the Promotion of Access to Information Act, No. 2 of 2000, as amended, together with all relevant regulations.
“Personal Information”	has the meaning given thereto in POPIA.
“POPIA”	means the Protection of Personal Information Act, No. 4 of 2013, as amended, together with all relevant regulations.

- “Requester”**
- (i) any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of RCS Group; or
 - (ii) a person acting on behalf of the person contemplated in (i) above.
- “SAHRC”** the South African Human Rights Commission.

- 3.2. This manual aims to assist potential Requesters on how to request access to information or documents from RCS Group and sets out the procedure that must be followed, as well as the documents held by RCS Group.
- 3.3. The manual may be amended from time to time and as soon as any amendments have been finalised, the latest version of the manual will be made available on our website.
- 3.4. Any potential Requester is advised to contact one of our Deputy Information Officers if he/she requires assistance on how to use this manual and/or how to request documents or information from RCS Group.
- 3.5. In terms of section 10 of PAIA, the Information Regulator must update and make available the existing guide that has been compiled by the SAHRC (as updated by the Information Regulator) containing such information, in an easily comprehensible form and manner, to assist people in exercising their rights under PAIA and POPIA. For a copy of this guide please contact:

The Information Regulator

Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg
Telephone: 010 023 5200
E-mail: enquiries@inforegulator.org.za
Website: www.inforegulator.org.za

4. Types of records

- 4.1. RCS Group keeps information and documents in accordance with the following legislation (please note that this is not a complete list):
- Basic Conditions of Employment Act, No. 75 of 1997
 - Companies Act, No. 71 of 2008
 - Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
 - Competition Act, No. 89 of 1998
 - Consumer Protection Act, No. 68 of 2008
 - Debt Collectors Act, No. 114 of 1998
 - Employment Equity Act, No. 55 of 1998
 - Electronic Communications and Transactions Act, No. 25 of 2002
 - Financial Advisory and Intermediary Services Act, No. 37 of 2003

- Income Tax Act, No. 95 of 1967
- Insolvency Act, No. 24 of 1936
- Insurance Act, No. 27 of 1976
- Intellectual Property Laws Amendment Act, No. 38 of 1997
- Labour Relations Act, No. 66 of 1995
- Long Term Insurance Act, No. 52 of 1998
- National Credit Act, No. 34 of 2005
- Occupational Health & Safety Act, No. 85 of 1993
- Prevention and Combating of Corrupt Activities Act, No. 12 of 2004
- Promotion of Access to Information Act, No. 2 of 2000
- Short Term Insurance Act, No. 53 of 1998
- Skills Development Levies Act, No. 9 of 1999
- Skills Development Act, No. 97 of 1998
- Trade Marks Act, No. 194 of 1993
- Unemployment Insurance Act, No. 63 of 2001
- Value Added Tax Act, No. 89 of 1991

4.2. Where a record contains information about your physical or mental health, or well-being, and was provided by a health practitioner, special considerations apply to ensure your well-being:

- 4.2.1. if direct access might cause serious harm, the Deputy Information Officer may consult with the health practitioner.
- 4.2.2. we may require you to nominate a health professional (e.g., doctor, counsellor) to review the record first and advise you.
- 4.2.3. if the nominated person believes direct disclosure could still cause serious harm, access will only be granted if you arrange for appropriate counselling.
- 4.2.4. for requests on behalf of those under 16 or incapacitated, the nomination must come from their parent/guardian or court-appointed representative.

4.1. Records that are available upon request, subject to review and approval by the Deputy Information Officer, include:

- 4.1.1. customer related records, such as records provided to or from a customer in relation to the services provided by the RCS Group;
- 4.1.2. records pertaining to the RCS Group, which include records that apply to RCS Group's business and internal affairs;
- 4.1.3. employee records, which include records that apply to RCS Group's personnel and employment contracts; and
- 4.1.4. records pertaining to third parties, which RCS Group may possess regarding, among others, service providers,

and retailers.

5. Processing of Personal Information

- 5.1. RCS Group processes Personal Information to assess applications for our products, to manage products held by our customers, to carry out obligations in terms of agreements with our customers (including disclosing such information to underwriters, retailers where applications are originated, either in-store or online, or organisations supporting products held by our customers), to market to customers who have not opted out of such marketing, whether directly or through an agent, and otherwise conduct, monitor and analyse our business, or where it is in RCS Group's legitimate interests.
- 5.2. The categories of Data Subjects whose Personal Information is processed by the RCS Group include customers, potential customers, employees, service providers, retail partnerships and/or visitors to our physical offices. The type of Personal Information includes contact information, personal identification information, account information, credit information, employment history, employment references, corporate entity information, publicly available financial information.
- 5.3. RCS Group may share Personal Information with entities such as credit bureaus, service providers, retail partners, payment system participants (e.g. banks). We will never share a Data Subject's sensitive Personal Information, such as bank details or information about their health, unless authorised to do so or if the RCS Group is required to do so by law or court order.
- 5.4. RCS Group may share Personal Information outside of South Africa to, for example, service providers located abroad or RCS Group's shareholder, BNP Paribas, whose head office is located in France. Where Personal Information is transferred outside of South Africa, we ensure that the recipient is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection. We will only share Personal Information outside of South Africa where it is necessary to do so.
- 5.5. RCS Group's technical and organisational security involves defining and implementing formal standards and procedures, and taking the appropriate and reasonable technical and organisational steps ensure that Personal Information in its possession remains secure, confidential and the integrity of such information is protected. The RCS Group enlists industry best practice as regards physical, technical and operational safeguards to protect Personal Information.

6. How to request records

The following procedures must be followed:

- 6.1. The Requester must use the prescribed request form to make the request for access to a record held by the RCS Group, a copy of which is annexed. The prescribed form can also be downloaded from the Information Regulator's website at www.inforegulator.org.za/paia-forms.
- 6.2. RCS Cards (Pty) Ltd will deal with all requests relating to any entities within the RCS Group. All requests for information in terms of this manual should be directed to:

For attention: Deputy Information Officer (Legal & Compliance)
RCS Cards (Pty) Ltd, Mutualpark, Jan Smuts Drive, Pinelands, Cape Town, 7405

E-mail: legal@rcsgroup.co.za

- 6.3. The Requester must provide sufficient detail on the request form to enable the Deputy Information Officer to clearly identify the record, as well as the Requester's identity. The Requester must also indicate which form of access he/she requires, for example, copies of documents or an opportunity to view the documents without receiving copies.
- 6.4. The Requester must also indicate if he/she wishes to be informed in any particular manner, for example, e-mail instead of via post, and if so, state the necessary particulars required to be so informed.
- 6.5. The Requester must identify the right that he/she is seeking to protect or exercise and must provide an explanation as to why the requested record is required for the protection or exercise of that right.
- 6.6. If the Requester is making the request on behalf of another person, the Requester must submit proof, to the satisfaction of the Deputy Information Officer, of the capacity in which he/she is making the request.
- 6.7. The prescribed fee (if any) must be paid as set out in clause 7 below. Once the request has been reviewed, RCS Group will make a decision in respect of the request and will notify the Requester of its decision.

7. Time periods for processing requests for records

- 7.1. The Deputy Information Officer shall, within thirty (30) days of receipt of a request for access to a Record, respond to the Requester about whether the request has been granted or denied. The Deputy Information Officer may request an extension if the request involves a large volume of documents or if consultation with public or other private bodies are required.
- 7.2. If a request is denied, the Deputy Information Officer shall provide reasons.

8. Prescribed fees

- 8.1. Once a request is made, a Requester will receive notice from us to pay the prescribed fee, if any. This prescribed fee must be paid before a request will be processed, and payment of this fee is to be made as directed by the Deputy Information Officer.
- 8.2. If a Requester is making a request in their personal capacity, payment of the prescribed fee may not be required.
- 8.3. If a request is granted, the Requester may have to pay a further access fee for the search, reproduction and preparation of the record as well as for any time that has exceeded the prescribed hours to search and in order to prepare the record for disclosure to the Requester (in terms of section 54(6) of PAIA).

9. When access to a record may be denied

- 9.1. By law, the Information Officer may or must deny access to a Record under certain circumstances. Generally, the Information Officer must deny access to a Record when granting access will cause more harm than non-disclosure would. Mandatory grounds of refusal, may include any of the following:
 - 9.1.1. The protection of personal or commercial information of another party;

- 9.1.2. The protection of safety and property of another party;
- 9.1.3. When required to comply with a confidentiality agreement it had entered into with another party;
- 9.1.4. Information that is legally privileged or which may not be shared by order of a Court or legislation;
- 9.1.5. Vexatious or frivolous requests or requests that may require an unreasonable amount of time to investigate.

10. Appeals to decisions of the Information Officer

- 10.1. A Requester who is dissatisfied with a decision by the Information Officer may apply to a court for a review of the decision of the Information Officer.
- 10.2. A “court” includes a Magistrate’s Court or the High Court. An application for review must be submitted to the court within 180 days of receiving notice of the decision of the Information Officer that has caused the grievance.

11. Availability of the manual

This manual is available for inspection during office hours, at no cost, at our head office, situated at Mutualpark, Jan Smuts Drive, Pinelands, Cape Town, 7405 or on our website at www.rcsgroup.co.za. Copies of the manual are available from our website at www.rcsgroup.co.za.