

**MANUAL 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”)**

EVOLUTION CREDIT LIMITED

(REG. NO.: 1999/020093/06)

(“EVOLUTION”)

Version	Date of approval	Forum of approval	Review period	Author
1	29 June 2021	Core Eco		Group Information Officer
1.1		Core Exco	3 years	Group Information Officer

1 Introduction

1.1 This Manual constitutes the Evolution Group 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 "Evolution", "the Group", "we", "us" or "our".

2 Who Are We - About Us And Our Business

- 2.1 We are South African-based financial services institution and specialize in providing home improvement finance, debt collection services and insurance products
- 2.2 If you would like to find out more about us, including our main business activities, our company profile is available at www.realpeoplegroup.co.za/about-real-people/

3 Main Subsidiaries And Associate Companies

- 3.1 The Group has the following subsidiaries and associate entities;
- 3.1.1 Opco 365 (Pty) Ltd
 - 3.1.2 Real People South Africa Holdings (Pty) Ltd
 - 3.1.3 DMC Debt Management Holdings (Pty) Ltd
 - 3.1.4 DMC Evolution (RF) (Pty) Limited
 - 3.1.5 Umuzi Finance (RF) Ltd
 - 3.1.6 Real People Home Improvement Finance (RF) ((Pty) Ltd
- 3.2 If you have a PAIA request you would like to submit to one of them, you should follow the procedures set out in this Manual, as it will also apply to them.

4 Our Contact Details

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

Information Officer: Neil Grobbelaar

Postal Address: P.O. Box 19610 | Tecoma | 5214

Street Address: 12 Esplanade Road | Quigney | East London | 5201 |

Contact number: +27 (0) 43 702 4600

Email address: legalquery@dmc.co.za

5 PAIA Guide

- 5.1 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.

- 5.2 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: PAIAComplaints@inforegulator.org.za

General enquiries email: enquiries@inforegulator.org.za

6 Information That Is Automatically Available Without A PAIA Request

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

- 6.2 You are also, subject to verification, automatically allowed to access your information insofar as it relates to any of the products we offer which is regulated by;

6.2.1 Financial Advisory and Intermediary Services Act, No. 37 of 2002

6.2.2 Insurance Act, No. 18 of 2017

6.2.3 National Credit Act, No. 34 of 2005

7 Records Kept In Terms Of The Other Legislation

- 7.1 We are subject to many laws and regulations, some of which require us to keep certain records.
- 7.2 These laws are detailed in Appendix E attached hereto:
- 7.3 Note that the list is not exhaustive.

8 Description Records we hold

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

Companies Act Records

Documents of Incorporation;
Memorandum of Incorporation;
Minutes of Board of Directors meetings and General Meetings;
Written Resolutions;
Records relating to the appointment of directors / auditors / company secretary / public officer and other officers;
Share Register and other Statutory Registers; and
Other Statutory Records.

Client Records

Client contact information
Agreements, application forms
Policy documents
Banking details
Transactional records

Financial Records

Annual Financial Statements;
Tax Returns;
Accounting Records;
Banking Records;

Bank Statements;
Paid Cheques;
Electronic Banking Records;
Asset Register;
Rental Agreements; and
Invoices.

Income Tax Records

PAYE Records;
Documents issued to employees for income tax purposes;
Records of payments made to SARS on behalf of employees;
All other statutory compliances;
VAT;
Regional Services Levies;
Skills Development Levies;
UIF; and
Workmen's Compensation.

Personnel Documents and Records

Employment contracts;
Employment policies and procedures;
Employment Equity Plan;

Medical Aid records;	Training records and manuals;
Pension Fund records;	Operating manuals;
Internal evaluations and disciplinary records;	Personal records provided by personnel;
Salary records;	Other statutory records; and
Disciplinary codes;	Related correspondence.
Leave records;	

9 Information Related to POPIA

9.1 Requests for personal information under POPIA must be made in accordance with the provisions of PAIA. This process is outlined in paragraph 10 below

9.2 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.

9.3 We have attached the prescribed forms to this Manual for your convenience.

9.4 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.

9.5 Purpose of processing

9.5.1 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.

9.5.2 The type of personal information that we process will depend on the purpose for which it is collected. We will disclose to you why the personal information is being collected and will process the personal information for that purpose only.

9.6 Personal information that is processed; category of data subject; and category of personal information

9.6.1 Clients - Natural persons: names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence; banking details.

9.6.2 Clients – Juristic persons / entities: names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners.

- 9.6.3 Contracted Service Providers: Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
- 9.6.4 Intermediary / Advisor: Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
- 9.6.5 Employees / Directors / Potential Personnel / Shareholders / Volunteers / Employees' family members / Temporary Staff: gender, pregnancy; marital status; race, age, language, education information; financial information; employment history; ID number; next of kin; children's name, gender, age, school, grades; physical and postal address; contact details; opinions, criminal behaviour and/or criminal records; well-being; trade union membership; external commercial interests; medical information.
- 9.6.6 Website end-users / Application end-users: names, electronic identification data: IP address; log-in data, cookies, electronic localization data; cell phone details, GPS data.
- 9.7 Categories of recipients for purposes of processing personal information
- 9.7.1 We may supply personal information to these potential recipients:
- 9.7.1.1 Management;
- 9.7.1.2 Employees;
- 9.7.1.3 Temporary Staff;
- 9.7.1.4 Sub-contracted Operators or service providers; and
- 9.7.1.5 Funders, shareholders and directors
- 9.7.2 We may disclose personal information we collected to any of our non-RSA subsidiaries, associate entities 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.
- 9.7.3 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.
- 9.8 Actual or planned trans-border flows of personal information

- 9.8.1 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.
- 9.8.2 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.
- 9.9 General description of information security measures
- 9.9.1 We employ 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
- 9.9.1.1 Firewalls;
- 9.9.1.2 Virus protection software and update protocols;
- 9.9.1.3 Logical and physical access control;
- 9.9.1.4 Secure setup of hardware and software making up our information technology infrastructure; and
- 9.9.1.5 Outsourced service providers who are contracted to implement security controls.

10 Request Procedure

- 10.1 Completion of the prescribed form
- 10.1.1 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].
- 10.1.2 A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.
- 10.2 Payment of the prescribed fees
- 10.2.1 A Fee may be payable, depending on the type of information requested, as described under Appendix B - Fees in respect of private bodies.
- 10.2.2 There are two categories of fees which are payable:
- 10.2.2.1 The request fee: R50
- 10.2.2.2 The access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs.

- 10.2.3 Section 54 of PAIA entitles The Group 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.
- 10.2.4 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.
- 10.2.5 POPIA provides that a data subject may, upon proof of identity, request The Group 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.
- 10.2.6 POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, The Group 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.

11 Objection

- 11.1 POPIA provides that a data subject may object, at any time, to the processing of personal information by The Group, 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.

12 Correction

- 12.1 A data subject may also request The Group 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 Group is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
- 12.2 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]

13 Proof Of Identity

- 13.1 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.

14 Timelines For Consideration Of A Request For Access

- 14.1 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.
- 14.2 Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

15 Grounds For Refusal Of Access And Protection Of Information

- 15.1 There are various grounds upon which a request for access to a record may be refused. These grounds include:
- 15.1.1 the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - 15.1.2 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);
 - 15.1.3 if disclosure would result in the breach of a duty of confidence owed to a third party;
 - 15.1.4 if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
 - 15.1.5 if the record was produced during legal proceedings, unless that legal privilege has been waived;
 - 15.1.6 if the record contains trade secrets, financial or sensitive information or any information that would put the Group at a disadvantage in negotiations or prejudice it in commercial competition; and/or
 - 15.1.7 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 Group.
 - 15.1.8 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.

- 15.1.9 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.

16 Remedies Available To A Requester On Refusal Of Access

- 16.1 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.
- 16.2 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.
- 16.3 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.
- 16.4 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.

17 Availability Of This Manual

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

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:

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

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:

.....
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.....

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.

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

.....
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) 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.

A	DETAILS OF 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:	

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

Signed at this day of20.....

.....

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:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	<p>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</p> <p>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.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of20.....

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

Appendix E

18 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:

Administration of Estates Act, No. 66 of 1965	Protected Disclosures Act, No. 26 of 2000
Arbitration Act No. 42 of 1965	Protection of Constitutional Democracy against Terrorist and Related Activities Act, No. 33 of 2004
Basic Conditions of Employment Act, No. 75 of 1997	Regulation of Interception of Communications and Provisions of Communication Related Information Act, No. 70 of 2002
Broad Based Black Economic Empowerment Act, No. 53 of 2003	Securities Services Act, No. 36 of 2004
Companies Act, No. 71 of 2008	Skills Development Act, No. 97 of 1997
Competition Act, No. 89 of 1998	Skills Development Levy Act, No. 9 of 1999
Constitution of South Africa Act, No. 108 of 1996	Tobacco Products Control Act, No. 12 of 1999
Copyright Act, No.98 of 1987	Unemployment Insurance Act, No. 63 of 2001
Debt Collectors Act, No. 114 of 1998	Value-added Tax Act. No. 89 of 1991
Electronic Communications and Transactions Act, No. 2 of 2000	
Employment Equity Act, No. 55 of 1998	
Financial Advisory and Intermediary Services Act, No. 37 of 2002	
Financial Intelligence Centre Act, No. 38 of 2001	
Financial Sector Regulation Act, No. 9 of 2017	
Income Tax Act, No. 58 of 1962	
Income Tax Act, No. 95 of 1967	
Insolvency Act, No. 24 of 1936	
Insurance Act, No. 18 of 2017	
National Credit Act, No. 34 of 2005	
Occupational Health and Safety Act, No. 85 of 1993	
Promotion of Access to Information Act, No. 2 of 2000	
Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000	