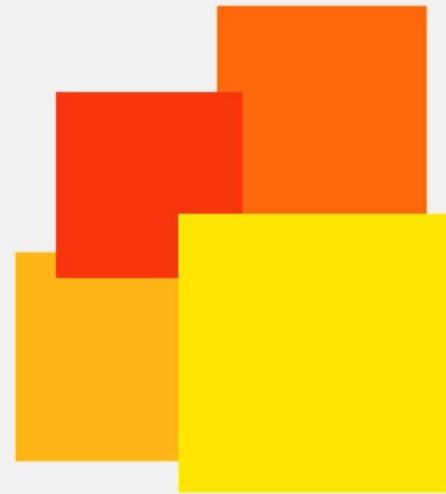


Annual Report  
Information Regulator  
In Terms Of The Code  
Of Conduct For The  
Processing Of Personal  
Information By The  
Banking Industry

3 December 2025



THE BANKING  
ASSOCIATION  
SOUTH AFRICA

# Introduction

- The Code of Conduct for the Processing of Personal Information by the Banking Industry (the Code) is intended to outline and expand on the specific obligations of the members of The Banking Association South Africa (BASA) as responsible parties, operators, or as joint responsible parties, when processing the Personal Information (PI) and Special Personal Information (SPI) of data subjects.
- It must be noted that the Code will not replace the provisions of the Protection of Personal Information Act 4 of 2013 (POPIA) and is subordinate legislation (mandatory code), as published by the Information Regulator (IR).
- Member banks have reviewed the obligations set out in the Code and have taken reasonably necessary and practicable steps to put systems, measures, and processes in place aimed at complying with the provisions of the Code

Member banks have taken reasonably necessary and practicable steps to put systems, measures, and processes in place aimed at complying with the provisions of the Code

Accountability  
Processing limitation  
Purpose specification  
Further processing limitation  
Information quality  
Openness  
Security safeguards  
Data subject participation  
Prohibition of the processing of special personal information  
Prohibition on processing personal information of children  
Direct marketing  
Automated decision-making  
Information matching  
Transfer of information  
Internal dispute resolution



This report details the steps taken by BASA and its members in complying with the Code approved by the IR and published on and effective from 4 November 2022

#### Contents of the report:

- Table 1 provides a breakdown, in table format, of the steps taken by BASA and members as it relates the reporting requirements set out in paragraph 25 of the Information Regulator's Guidelines to Develop Codes of Conduct (the Guideline), read with section 63(d)-(e) of POPIA in respect of compliance with the Code.
- Annexure B sets out information and data as it relates to complaints management by the independent ombud scheme; and
- Annexure C reflects the Attestation of Compliance with the Code by the Member Banks received from the listed members

# Attestation of Compliance with the Code by the Member Banks



1. Absa Bank
2. Access Bank
3. African Bank
4. Al Baraka Bank
5. Bank of Taiwan
6. Bank of Communications
7. Bidvest Bank
8. Merrill Lynch t/a BofA Securities
9. Capitec Bank
10. China Construction Bank
11. Citibank
12. Deutsche Bank
13. Discovery Bank
14. FinBond Mutual Bank
15. FirstRand Bank Limited (including First National Bank, WesBank, RMB Private Bank and DirectAxis as a business unit)
16. GBS Mutual Bank
17. Goldman Sachs Bank
18. HBZ Bank
19. HSBC Bank

20. Investec Bank
21. JPMorgan Chase Bank
22. Nedbank
23. OM Bank Ltd
24. Postbank
25. Sasfin Bank
26. Standard Bank of South Africa
27. Standard Chartered
28. State Bank of India
29. TymeBank

## No Attestations

1. Ithala Bank (No longer a member of BASA)
2. Grindrod Bank (Acquisition by African bank)
3. ICICI Bank (No longer a member of BASA)
4. BNP Paribas (No longer a member of BASA)
5. Habib Overseas (Under provisional liquidation)
6. Ubank (Integrated with African bank)

## Paragraph 25.3

### ● 25.3.1

accurate, up to date and sufficient information on how a body has monitored compliance with a code. This includes information received in reports from bodies bound by a code and from assessments or investigations.

The members of BASA have considered the obligations contained in the Code and have continuously attended to the following:

- Reviewing existing policies and procedures against the Code.
- Updating internal processes, where needed, reflecting the principles contained in the Code and reasonably ensured alignment in requirements and controls.
- Publishing the Code on their respective official websites.
- Updating complaints processes, where needed, to incorporate the complaints process as envisaged by the Code.
- Conducting compliance reviews of POPIA risk management plans to ensure alignment with the obligations contained in the Code.
- Conducting general awareness training regarding the privacy principles as articulated in POPIA and the Code.
- Implementing the appropriate processes for security compromise reporting and notification.
- Entering into agreements with operators that process PI and SPI on their behalf in alignment with POPIA and the Code.
- Amending Information Manuals to include the Promotion of Access to Information Act Access Request Forms. The updated Information Manuals were published on the websites of the member banks to ensure that data subjects can exercise their right of access to information.

**BASA has also:**

- Published the Code on the BASA website.
- Agreed with the National Financial Ombud Scheme (NFO) that it will function as an independent party to assist with reporting statistics of all the privacy complaints received and adjudicated.

## Paragraph 25.3

### ● 25.3.1

accurate, up to date and sufficient information on how a body has monitored compliance with a code. This includes information received in reports from bodies bound by a code and from assessments or investigations.

Attestation of Compliance with the Code of Conduct for the Processing of Personal Information by the Banking Industry by the Member Banks:

- Attestations that cover the agreed conditions of lawful processing of PI and SPI in the Code have been signed by member banks for 2025. The member banks submit signed attestations to BASA annually as a monitoring tool and BASA includes the attestations in the compilation of the annual report, attached hereto as Annexure C.

Matters dealt with by independent adjudicator (if applicable):

- No matters were received by BASA in 2025 to be referred to an independent adjudicator at Arbitration Foundation of Southern Africa (AFSA) for the reporting period.

## Paragraph 25.3

### ● 25.3.2

aggregate information about systemic issues or serious or repeated interference with the conditions for the lawful processing of personal information that occurred during the reporting period.

- BASA has not received information about systemic issues or serious or repeated interference with the conditions for the lawful processing of PI and SPI that occurred during the reporting period.

## Paragraph 25.3

### ● 25.3.3

if information regarding the effectiveness of a code in achieving compliance has significantly changed from the last report, a description of the change and any proposed process or practice to address the change.

● No significant change has been noted.

## Paragraph 25.3

● 25.3.4  
the number of complaints in relation to a code received annually.

● 25.3.5  
the average time taken to resolve the complaints.

● 25.3.6  
statistical information about the nature of the complaints.

● 25.3.7  
statistical information about the outcomes of the complaints.

● For the 2025 reporting period the NFO received a total number of 7 875 complaints of which 14 complaints (0.178%) related to privacy, attached hereto as Annexure B.

● The average time taken to resolve the complaints is 36.21 days.

● The majority of complaints relate to unauthorised disclosure of PI, often linked to identity theft or unwanted phone calls.

● A significant portion of formal matters were closed due to a lack of evidence of a POPIA breach. Premature matters were often resolved with the respective bank acknowledging errors and offering modest compensation.

## Paragraph 25.3

● 25.3.8  
information about the  
remedies awarded in  
resolving the complaint.

In 2025, the NFO recorded the following remedies awarded in the resolution of complaints (as per Annexure B):

- 1. **Fraudulent Account Openings**  
The complainant alleged that multiple accounts had been fraudulently opened in their name without consent, causing emotional and financial distress. Following its investigation, the bank confirmed that the fraud resulted from impersonation using personal information previously shared by the complainant and found no evidence of an internal data breach. As part of the remedy, the bank closed the fraudulent accounts, absorbed all associated losses, and rectified the complainant's credit profile.

## Paragraph 25.3

### ● 25.3.8

information about the remedies awarded in resolving the complaint.

- **2. Incorrect Debt-Collection Contact**  
A complainant who was not a client of the bank reported repeated contact regarding another individual's debt, despite prior requests for the bank to remove their number. The complaint was upheld. The bank removed the complainant's contact details from its systems to prevent further calls.

## Paragraph 25.3

● 25.3.8  
information about the  
remedies awarded in  
resolving the complaint.

### ● 3. Unauthorised Disclosure of Confidential Information

The complainant alleged that the bank disclosed confidential information regarding her mortgage bond to her mother during a collections call and that she was subsequently harassed about the arrears. The bank confirmed that an error in its collections process resulted in staff contacting the complainant's mother and disclosing details of the arrears – a breach of confidentiality and non-compliant with both internal policies and POPIA. As remedial action, the bank removed the mother's contact details from its system to prevent further contact, apologised to the complainant, and acknowledged the breach. The bank also confirmed that the arrears had since been settled and the account updated. In recognition of the error and inconvenience caused, the bank offered the complainant a goodwill payment of R500.

● Annexure B:  
Complaints Management

● Annexure C:  
Member Attestations

● Complaints Statistics from the NFO.

● Signed Attestation of Compliance with  
the Code.

# THANK YOU

