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Adv. Tshupo Boikanyo
Executive: POPIA
Information Regulator (South Africa)
JD House, 27 Stiemens Street
Braamfontein
Johannesburg, 2001
P.O. Box 31533

Doc Ref:
Your ref: N. Musamba
Direct ☎: 011 645 6700
E-✉: NelliaM@banking.org.za

Per e-mail: POPIACompliance@infoeregulator.org.za

Cc: Advocate P. Tlakula

Cc: Advocate C. Weapond

Dear Sir,

SUBJECT: ANNUAL REPORT TO THE INFORMATION REGULATOR IN TERMS OF THE CODE OF CONDUCT FOR THE PROCESSING OF PERSONAL INFORMATION BY THE BANKING INDUSTRY 2025

The Banking Association of South Africa (“BASA”) is an industry association whose members are those banks licensed to operate in South Africa. BASA advances the interests of the banking industry with its regulators, legislators, and stakeholders, with the objective of making banking sustainable, profitable, and better able to contribute to the social and economic development and transformation of South Africa.

The Information Regulator South Africa (“IR”) received a Code of Conduct from BASA for issuing in accordance with the provisions of section 61(1)(b) of the Protection of Personal Information Act, 4 of 2013 (“POPIA”). The Regulator approved the BASA Code of Conduct. Attached hereto, please find the Annual Report to the IR in terms of the Code of Conduct for the Processing of Personal Information by the Banking Industry that will also be published on the BASA website.

The purpose of the Code is to:

1. Promote appropriate privacy practices by members of BASA governing the processing of personal information in terms of POPIA.
2. Encourage the establishment of appropriate processing practices between members of BASA and operators, regulating the processing of personal information as required by POPIA and dictated by good business practice.
3. To articulate the interpretation of POPIA by members of BASA.
4. Allow for complaints against members of BASA to be considered and remedial action, where appropriate, to be taken.
5. The Code governs:
 - 5.1 The processing of personal information by members of BASA in compliance with POPIA.
 - 5.2 The monitoring by BASA of the provisions of the Code.
 - 5.3 Complaint management procedures.

Herewith an excerpt from Section 25 outlining the IR's Guidelines on the annual report (*in italics below*).

25 Reporting on compliance with a code of conduct

- 25.1 *The relevant bodies should submit an annual report to the Regulator which should also be made available on the relevant body's website.*
- 25.2 *The annual report must be submitted one (1) year after a code has been issued by the Regulator.*
- 25.3 **The report should include the following:**
- 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;*
 - 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;*
 - 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;*
 - 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; and*
 - 25.3.8 *information about the remedies awarded in resolving the complaint.*

Yours sincerely,



Nellia Musamba
Senior Specialist
Market Conduct Division