

BMW Financial Services (South Africa) (Pty) Limited
(Registration Number: 1990/004670/07)
(the “Company”)

MANUAL
Published in terms of section 51 of the
Promotion of Access to Information Act 2 of 2000
(the “Act”)

With acknowledgements to:

1. The South African Human Rights Commission
2. The Department of Justice and Constitutional Development
3. NAAMSA

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INDEX

Introduction	3
Company Contact Details	4
Company Records	5
Processing of Personal Information	7
*Form of Request	12
*Prescribed Fees	12
Remedies	12

*Note: The prescribed form and fee structure is available on the website of the Company at www.bmwfinance.co.za

1. Introduction

The Company is an authorised financial services provider (FSP no. 4623) and registered credit provider NCRCP2341. Both ALPHERA Financial Services and MINI Financial Services are divisions of the Company and this manual accordingly applies to both. The Company conducts business as a financial services company providing finance and insurance products to the dealer network and to the general public.

This Promotion of Access to Information Manual (“Manual”) provides an outline of the type of records and the personal information it holds, and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 (“PAIA ”). In addition, it explains how to access, or object to, personal information held by the Company, or request correction of the personal information, in terms of paragraphs 23 and 24 of the Protection of Personal Information Act 4 of 2013 (“POPIA”).

The PAIA and POPIA Acts give effect to everyone’s constitutional right of access to information held by private sector or public bodies, if the record or personal information is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in section 5.

1.1 Availability of this PAIA Manual

This manual is published on the Company website at www.bmwfinance.co.za or alternatively, a copy can be requested from the Compliance Manager (see contact details in section 2).

1.2 Availability of guides to the PAIA and POPIA

Requesters are referred to the regulators listed below. The South African Human Rights Commission has compiled, as contemplated in Section 10 of PAIA, which contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in said Act.

Guides to the PAIA and POPIA Acts can be obtained and queries directed to:

PAIA	POPIA
South African Human Rights Commission Promotion of Access to Information Act Unit Research and Documentation Department Private Bag 2700 Houghton Johannesburg 2041	Information Regulator

Braampark, Forum 3 33 Hoofd Street Braamfontein Johannesburg 2001	SALU Building 316 Thabo Sehume Street Pretoria 0001
Telephone number: (011) 484 8300 Fax number: (011) 484 7146/7 Website : www.sahrc.org.za E-mail : PAIA@sahrc.org.za	Telephone number: 012 406 4818 Fax number: 086 500 335 Website: www.justice.gov.za/inforeg E-Mail: inforeg@justice.gov.za

2. Company contact details

Persons designated/duly authorised persons:

Compliance Manager and Data Privacy Protection Officer	
Glenda Shafee	
Postal address	P .O. Box 2955 Pretoria, 0001
Street address	1 Bavaria Avenue Randjespark Ext 17, Midrand 1685
Telephone numbers	(011) 541 7512 0800 600 555
Electronic Mail Address	Compliance-ZA@bmwfinance.co.za
Payments should be made to:	BMW Financial Services (South Africa) (Pty) Ltd

3. Company records

3.1 Records available in accordance with other legislation

The Company has records available in terms of various laws, including:

- Administration of Estates Act 66 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Consumer Protection Act 68 of 2008
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Home Loan and Mortgage Disclosure Act 63 of 2000
- Income Tax Act 58 of 1962
- National Credit Act 34 of 2005
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Skills Development Act 9 of 1999
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

Access to these records are subject to the provisions laid out in paragraphs 5 and 6 of this Manual.

3.2 Company record classification key

CLASSIFICATION NO	ACCESS	CLASSIFICATION
1	May be Disclosed	Public Access Document
2	May not be Disclosed	Request after commencement of criminal or civil proceedings [s7]
3	May be Disclosed	Subject to copyright
4	Limited Disclosure	Personal Information that belongs to the requester of that information [s61]
5	May not be Disclosed	Unreasonable disclosure of personal information Natural

		person [s63(1)] or Juristic Person (POPI)
6	May not be Disclosed	Likely harm the commercial or financial interest of third party [s64(a)(b)]
7	May not be Disclosed	Likely to harm the company or third party in contract or other negotiations [s64(c)]
8	May not be Disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]
9	May not be Disclosed	Likely to compromise the safety of individuals or protection of property [s66]
10	May not be Disclosed	Legally privileged document [s67]
11	May not be Refused	Environmental testing/investigation which reveals public safety/environmental risk [s64(2); s68(2)]
12	May not be Disclosed	Commercial information of Private Body [s68]
13	May not be Disclosed	Likely to prejudice research and development information of the Company or a third party [s69]
14	May not be Refused	Disclosure in public interest [s70]

3.3 Summary: records available

DEPARTMENTAL RECORDS	SUBJECT	CLASSIFICATION NO.
Finance	Audited Financial statements	12

	Tax Records (Company & Employees)	12
	Asset Register	12
	Management Accounts	12
	Employee Records	4,5,9
	Employee Contracts	4,5
Legal	General Contract Documentation	6,12
	Company Guidelines, Policies and Procedures	12
	Statutory and Environmental Records	12
Sales and Marketing	Market Information	12,13
	Product Brochures	1
	Field Records	4,12
	Performance Records	12
	Product Sales Records	1
	Marketing and Future Product Strategies	12
	Current Product Information	1,4
	Public Corporate Records	1
	Media Releases	1
Risk, Collections & Insurance	Customer Information and Database	12
	Dealer Wholesale Documents	6,7,12,13

4. Processing of personal information

The Company takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the current South African privacy legislation. Accordingly, the relevant personal information privacy principles relating to the processing thereof

(including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will be applied to any personal information processed by the Company.

4.1 The purpose of processing of personal information by the Company

We process personal information for a variety of purposes, including but not limited to the following:

- to provide or manage any information, products and/or services requested by data subjects;
- to help us identify data subjects when they contact the Company
- to maintain customer records;
- to maintain customer vehicle records;
- for recruitment purposes;
- for employment purposes;
- for travel purposes;
- for general administration, financial and tax purposes;
- for legal or contractual purposes;
- for health and safety purposes;
- to monitor access, secure and manage our premises and facilities;
- to transact with our suppliers and business partners, including BMW dealerships;
- to help us improve the quality of our products and services;
- to help us detect and prevent fraud and money laundering;
- to help us recover debts;
- to carry out analysis and customer profiling; and
- to identify other products and services which might be of interest to data subjects and to inform them about our products and services.

4.2 Categories of data subjects and personal information processed by the Company

Categories of data subjects and personal information processed by the Company include the following:

CATEGORIES OF DATA SUBJECTS	PERSONAL INFORMATION PROCESSED
Customers and potential customers	Personal information
	Contracts and warranties
	Vehicle information
	Location information

	Information provided through BMW ConnectedDrive, My Account and any other BMW Group system accessible by a customer.
BMW dealerships and business partners	Personal information
	Dealer performance information
	Personal information of dealer / partner employees
Suppliers	Personal information
	Personal information of supplier representatives
Employees	Personal information
	Medical information, including disability information where provided.
	Employee spousal / partner information
	Employee Pension and Provident Fund Information
	Employment contracts
	Employee performance records
	Payroll records
	Electronic access records
	Physical access records
	Surveillance records
	Health and safety records

CATEGORIES OF DATA SUBJECTS	PERSONAL INFORMATION PROCESSED
	Training records
	Employment history
	Time and attendance records
Job applicants	Curriculum vitae and application forms
	Criminal checks
	Background checks
Children	Personal information
	Medical information
Visitors	Physical access records
	Personal Information
	Electronic access records and scans
	Surveillance records
In-patriates and ex-patriates	In-patriate and ex-patriate personal information
	In-patriate and ex-patriate children's personal information

4.3 Recipients or categories of recipients with whom personal information is shared

We may share the personal information of our data subjects for any of the purposes outlined in Section 4.1, with the following:

- our other BMW Group Companies in South Africa and in other countries;
- our authorised BMW Group dealerships;
- our carefully selected business partners who provide products and services under one of our brands; and
- our service providers and agents who perform services on our behalf.

We do not share the personal information of our data subjects with any third parties, unless we have your explicit consent to do so and where:

- we are obliged to provide such information for legal or regulatory purposes;
- we are required to do so for purposes of existing or future legal proceedings

- we are selling one or more of our businesses to someone to whom we may transfer our rights under any customer agreement we have with you;
- we are involved in the prevention of fraud, loss, bribery or corruption;
- they perform services and process personal information on our behalf;
- this is required to provide or manage any information, products and/or services to data subjects; or
- needed to help us improve the quality of our products and services.

We will send our data subjects notifications or communications if we are obliged by law, or in terms of our contractual relationship with them.

We will only disclose personal information to government authorities if we are required to do so by law.

Our employees, authorised BMW Group dealerships and Repair centres and their employees, our agencies and our suppliers, are required to adhere to data privacy legislation.

4.4 Information security measures to protect personal information

Reasonable technical and organisational measures have been implemented for the protection of personal information processed by BMW and its operators. In terms of POPIA, operators are third parties that process personal information on behalf of the Company.

We continuously implement and monitor technical and organisational security measures to protect the personal information we hold, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.

We will take steps to ensure that operators that process personal information on behalf of the Company apply adequate safeguards as outlined above.

4.5 Trans-border flows of personal information

We will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing, and will do so only in accordance with South African legislative requirements; or if the data subject consents to transfer of their personal information to third parties in foreign countries.

We will take steps to ensure that operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of POPIA.

We will take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards as outlined in Section 4.4.

5. Form of request

To facilitate the processing of your request, kindly:

- 5.1 Use the prescribed form, available on the website of the Company at the following address www.bmwfinance.co.za.
- 5.2 Address your request to Compliance department at Compliance-ZA@bmwfinance.co.za. Provide sufficient details to enable the Company to identify:
 - a) The record(s) requested;
 - b) The requester (and if an agent is lodging the request, proof of capacity);
 - c) The form of access required;
 - d) The postal address, email address or fax number of the requester in the Republic;
 - e) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - f) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

6. Prescribed fees

The following requirements applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until fees have been paid; and
- The Fee Structure is available on the Company website at www.bmwfinance.co.za.

7. Remedies

The Company does not have internal appeal procedures regarding PAIA and POPIA requests. As such, the decision made by the duly authorised persons in section 2, is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator (once established), for relief.