AMENDMENT TO THE GUIDELINE FOR THE SUBMISSION OF CREDIT INFORMATION IN TERMS OF REGULATION 19(13) OF THE NATIONAL CREDIT ACT, 34 OF 2005, AS AMENDED

National Credit Regulator

Advocating For Inclusive Credit

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THIS GUIDELINE, ISSUED IN TERMS OF REGULATION 19(13), IS APPLICABLE TO ALL CREDIT PROVIDERS, ALL CREDIT BUREAUS AND DATA PROVIDERS AS HEREINAFTER DEFINED.

PURPOSE OF THE GUIDELINE:

This Guideline prescribes the manner and form in which a credit or data provider must submit credit information to a credit bureau:

1. DEFINITIONS PURSUANT TO REGULATION 19(13)

[Unless otherwise herein defined, definitions of terms are as set out in the Act.]

"Act" means the National Credit Act, 34 of 2005, and its Regulations, as amended;

"assessment" for purpose of this Guideline, means the assessment undertaken by SACRRA to determine the on-boarding timetable applicable to a credit or data provider in accordance with the data format development and volume of credit information to be submitted by such credit or data provider to the credit bureaus;

"Credit bureaus" means those credit bureaus that have been authorized in writing by the National Credit Regulator to receive, host and return credit information to any party requesting it for a permitted purpose or a purpose contemplated in the Act;

"CBA" means the Credit Bureau Association, the co-owner of the Data Transmission Hub;

"Credit information" for purposes of this Guideline means "consumer credit information" as defined in Section 70(1) of the Act, and includes payment profile information as displayed on a credit report, but does not include any emergency updates to consumer credit information, which may be sent by credit providers to the credit bureaus in such manner and form as may be determined from time to time;

"Data format" means the data specification prescribed by the National Credit Regulator in terms of this Guideline, attached as Annexure A hereto, and which may be updated by the National Credit Regulator from time to time. The data format specifies the data fields that must be completed when the credit information specified in clause 4.1 – 4.3 is reported to the credit bureaus.

"paid-up judgment format" means the format for the submission of paid-up judgments developed by the CBA, as amended from time to time;

"Other formats" means any format by which data is submitted to the credit bureaus as approved by the NCR;

"Data provider" means any source of information as set out in Regulation 18(7)(b) – (c) and 18(7)(e) – (f) that may provide credit information to the credit bureaus;

"Data Transmission Hub" means the encrypted data transfer interface managed by SACRRA through which credit information is submitted to the credit bureaus;

"Days" means business days as defined in section 2(5) of the Act;

"Fee Guideline" means the Fee Guideline and Schedule issued pursuant to this Guideline;

"Guideline" means this Guideline issued in terms of Regulation 19(13) of the Act, and which is binding on all credit providers, data providers and registered credit bureaus;

"Payment profile information" means the payment history and financial information relating to a debt or credit transaction, including relevant payment dates, both negative and positive information and/or signs depicting action taken in respect of such debt or credit transaction;

"Onboarding" means the process whereby credit information is recorded in the data format and processed in a manner that enables it to be transmitted via the Data Transmission Hub to the credit bureaus; and

"SACRRA" means the South African Credit and Risk Reporting Association.

2. COMPLIANCE WITH REGULATION 19(13)

2.1. The NCR has contracted the services of the SACRRA to support credit providers and data providers in their compliance with the Guideline to Regulation 19(13).

2.2. The process to comply with the Guideline to Regulation 19(13) by credit providers and data providers requires the following steps to be undertaken within the specified timelines:

2.2.1. Assessment Process – the SACRRA performs an assessment to determine the credit providers' and data providers' product offering and the relevant data fields required for their data submission to the credit bureaus via the Data Transmission Hub. This phase must not take longer than two (2) months to complete.

2.2.2. Onboarding Process – credit providers and data providers to develop and test their data extract in line with the prescribed Data Format and any other directive issued by the NCR.

2.2.3. Go-Live–Sign-off and commencement of live submission of data to update consumers' credit and/or risk profiles on credit bureaus database. The Onboarding and Go-Live phases collectively must not take longer than six (6) months from initiation of SACRRA engagement by the data contributor.

3. THE FORM AND MANNER OF REPORTING CREDIT INFORMATION

3.1. All credit providers must utilise the Data Transmission Hub for the submission of credit information to the credit bureaus.

3.2. All credit providers must utilise the data format for purposes of the submission of credit information to the credit bureaus.

3.3. All data providers that access the payment profile information of a consumer for a permitted or prescribed purpose as provided for in the Act must:

3.3.1. provide all relevant credit information in respect of consumers to credit bureaus in the same manner and form as credit providers to receive payment profile information from a credit bureau in respect of any consumer;

3.3.2. ensure that they comply with all the requirements set out in the Act for loading credit information onto the credit bureaus;

3.3.3. utilise the Data Transmission Hub for the submission of credit information to the credit bureaus and in doing so, must use the data format or where applicable, the format developed by the CBA for purposes of such submission; and

3.3.4. pay any fees that are prescribed for the usage and maintenance of the data sharing infrastructure.

3.4. Failure by a data provider to comply with Clause 3 of this Guideline may result in access to payment profile information being denied to such data provider, by the credit bureaus.

3.5. All credit providers and data providers currently providing credit information to the credit bureaus via the Data Transmission Hub, including all SACRRA members who provide credit information to credit bureaus, must continue or immediately commence with the on-boarding process to provide credit information to the credit bureaus in the manner and form prescribed in 3.1 and 3.2 above.

3.6. All credit providers and data providers not included in 3.5 above, including all non-SACRRA members must:

3.6.1. Undergo an assessment as a provider of credit information at the offices of SACRRA, at the commencement of which they must pay a once-off assessment fee; and

3.6.2. Pay the annual fee prescribed by the NCR stipulated in the Fee Guideline as may be amended from time-to-time; and

3.6.3. Ensure that all fees are paid within the timeframes stipulated in the Fee Guideline of receipt of invoice in respect thereof.

3.7. Fees to be payable annually for the usage and maintenance of the data sharing infrastructure and reporting thereof are stipulated by category of credit provider and/or data provider and will be payable in accordance with the on-boarding timetable as prescribed in the Fee Guideline and 2.2 above.

3.8. At the same time as the fees are published annually, a date for commencement of submission of credit information will be prescribed for such credit and data providers.

3.9. Credit provider categories are detailed in Table A of the Act, as amended by the Government Gazette of 11 May 2016; and

3.10. Data provider categories will be determined by SACRRA during the registration process.

3.11. SACRRA, as part of their mandate to the industry, will monitor the quality of the credit information submitted by all credit and data providers and will, jointly with the credit bureaus, assist such credit and data providers with resolution and guidance. SACRRA will notify escalated data quality issues to the National Credit Regulator for appropriate regulatory action to be taken to address those issues.

3.12. Credit bureaus are required to provide reports, as specified by the NCR in writing, to the CBA regarding the credit information provided by credit providers and data providers to the credit bureaus. The CBA will collate such reports on behalf of all the credit bureaus and provide the collated reports to the NCR at agreed intervals, to assist the NCR in determining any data quality issues which may require regulatory action.

4. TIMEFRAMES FOR REPORTING CREDIT INFORMATION

A credit provider must report credit information to the credit bureaus in the following manner and timeframes:

4.1 The details of all new credit agreements entered with consumers within 48 (forty-eight) hours of the credit agreements being concluded;

4.2 The details of all closed, terminated or settled credit agreements within 48 (forty-eight) hours of the credit agreements being closed, terminated or settled;

4.3. The monthly payment profile information of consumers within five (5) days of the agreed billing cycle;

4.4. Subject to the provisions of Regulation 19(4) and Regulation 19(7), the adverse classifications of consumer behaviour and adverse classifications of enforcement actions monthly; and

4.5. The settlement of all adverse information as set out in S71A (1) (a) to (c) of the Act within seven (7) days of settlement by the consumer of such adverse information.

5. TIMEFRAMES FOR REPORTING PAID-UP JUDGMENTS

5.1. The settlement of all judgment debts as set out in S71A (1)(d) of the Act within seven (7) days of settlement by the consumer of such judgment debt, in such manner and form as may be prescribed by the National Credit Regulator.

6. **CLAUSES 4.1 TO 4.5 AND CLAUSE 5** read with the changes required by law or context, apply to the reporting of credit information to credit bureaus by all data providers.

7. EFFECTIVE DATE

7.1. All system developments, testing, and process alignment between BNPL providers and registered credit bureaus must be completed by no later than 31 January 2027.

7.2. With effect from 1 February 2027, all BNPL data must be reported to, and reflected by, registered credit bureaus in accordance with the Regulation 19(13) Guideline

ANNEXURE A: DATA FORMAT PRESCRIBED BY THE NATIONAL CREDIT REGULATOR

OVERARCHING CATEGORY 1: DATA SUBJECT DEMOGRAPHICS

Consumer name/s and surname/s, address, and unique identifier (e.g. ID number/passport/date of birth).

OVERARCHING CATEGORY 2: DATA SUPPLIER DEMOGRAPHICS

Account number/s of consumer account/s; name of Credit/Data Provider; and supplier reference number per file, which number is issued by SACRRA; and month end date or transaction date of the file.

OVERARCHING CATEGORY 3: PRODUCT DESCRIPTORS

Previous categories of credit agreements, products and services (Account Types) utilised by the industry for credit information reporting were last updated in September 2016. In response to developments in the Buy Now, Pay Later (BNPL) market, two additional account types have been developed. The NCR has approved the use of Account Types A and Q specifically for Buy Now, Pay Later (BNPL) products.

Account Type	Name of Account Type	Product Description / Criteria for Use
A	BNPL - Fixed Term	To be used where there are fixed instalment amounts payable over a defined repayment period for Buy Now, Pay Later (BNPL) products. Each BNPL purchase is reported as a separate agreement with a unique account number. Payment cycle / frequency can be weekly, bi-weekly or monthly.
B	Building Loan	Loans which are granted independently of a Bond account which are specifically for use in building, either in additions or from foundation. These are generally consumed in portions as the build progresses.
C	Credit Card	Account where an available allowed facility is granted, payment commitments in line with the agreed timelines must be made in order that the facility can be retained.
D	Debt Recovery	Where an account has been previously written off and is now in the collection's environment.
E	Single Credit Facility	A facility where numerous products have been combined or where facility allows for various transaction types to occur within an agreed available limit at a specific rate.
F	Open-Services	Service type accounts which do not have a credit limit, but where the total expenditure in the previous month is expected to be paid in full after each cycle. This will include the accounts such as: Telecoms, Security, Cellular, Subscription accounts for value-add services (prepaid etc.).
G	Garage	Only Independent Cards which are not paid by automatic transfer linked to a credit card account; if automatic transfer linked to credit card, the expenditure on this card must be included in the credit card submission.
H	Home Loan	Bond accounts, including "Access Bond" type accounts which are not considered to be single credit facilities.
I	Instalment	Where an instalment agreement is signed. A specific instalment is expected for the purchase of goods.
L	Life Insurance	For Life Insurance Policies – premiums only.
M	One-Month Personal Loan	Loan granted to consumer for use in his personal capacity where the loan is to be repaid within 1 month.
N	Secured Pension/ Policy-Backed Lending	Loan granted against a pension/policy. Must be treated in the same way as a personal loan.

Account Type	Name of Account Type	Product Description / Criteria for Use
O	Open-Limitless	Open Credit Facility where the account is truly limitless in terms of available credit AND where repayment in full is expected at the end of each agreed period.
P	Personal Loan	Loan granted to consumer for use in his personal capacity where the loan is to be repaid over a term greater than 1 month.
Q	BNPL - Rolled up facility	To be used when a Buy Now, Pay Later (BNPL) facility is provided. Spending can continue up to the approved limit, and the payments are calculated based on the sum of rolled-up instalments due. All transactions are reported under the same account number. Repayments reduce the balance but do not close the account. Payment cycle / frequency can be weekly, bi-weekly or monthly.
R	Revolving Credit Store Cards	A Store Card where a limit is available to the consumer and an instalment is required monthly. This value may be accessed as required up to the agreed limit.
S	Short Term Insurance	For Short Term Policies – premiums only.
T	Student Loan	Use only if the product is paid directly to the Tertiary Institution. If funds are dispersed directly to the consumer, please use M or P.
U	Utility	Rates, Water, Electricity, Levies Accounts.
V	Overdraft	Overdraft Facility.
W	Rentals Asset	Rental of Vehicles, white goods (such as Appliances, Televisions etc.).
X	Rentals Property	Property Rentals.
Y	Vehicle Asset Finance	Vehicle Asset Finance.
Z	Revolving Non-Store Card	A limit which is available to the consumer where a specific instalment is required monthly and once a percentage or agreed value is repaid, this value may be accessed again up to the agreed limit.

OVERARCHING CATEGORY 4: FINANCIAL DESCRIPTORS

Opening balance/credit limit

Date of commencement of credit agreement (account open date)

Instalment amount

Term, where applicable and repayment frequency

Overdue balance and months in arrears, where applicable

Current balance, where applicable

OVERARCHING CATEGORY 5: CURRENT ACCOUNT STATUS CODES AND STATUS DATE

The current account status codes as utilised by industry for credit information reporting as of September 2016.

CODE	DESCRIPTION	DEFINITION
A	End of Data Submission – Sold to Third Party	To be used ONLY with approval from SACRRA. To be used with any account type. Indicates that no further updates from the data contributor is expected as the debt was sold to a third party. At the time of the sale balances were still outstanding.
B	Final Closure	To be supplied once. Used to indicate that the debt has prescribed. No further updates are allowed after Status Code B.
C	Account Closed	Account fully paid and has been closed.
D	Disputed	An indicator to remove the record from display while a dispute is investigated.
E	Terms Extended	Repayment terms have been extended.
F	Lapsed Policy	Consumer has allowed Insurance Policy to lapse due to non-payment.
G	Cancelled by Consumer	Policy cancelled by Consumer.
H	Cancelled by Supplier	May only be used for Account Types S & L.
I	Facility Revoked (Adverse Code)	Supplier has revoked access to the facility.
J	Repossession (Adverse Code)	Goods have been repossessed due to non-payment.
K	Paid-out Deceased Claim	Deceased Claim paid to Principal Policy Holder only – i.e. to be used in instances where the Principal Policy Holder receives a pay-out for cover of another individual.
L	Handed Over (Adverse Code)	Account handed over to attorney or collection agency for recovery but still owned by the Member.
M	Paid-out Disability	Disability Claim paid out to Principal Policy Holder.
P	Paid Up	Account paid up but may become active in the future.
R	End of Data Submission – Balances Still Outstanding	To be used ONLY with approval from SACRRA. To be used with any account type. Indicates that no further updates from the data contributor is expected, but at the time of ending the data line, balances were still outstanding.
S	Surrendered	Policy surrendered and paid out.
T	Early Settlement	Outstanding balance settled before agreed term.
U	Settlement of Adverse Arrears	Where the obligation under the agreement relating to the adverse has been settled, but the account is still active.
V	Cooling-Off Settlement	Loan settled within the 5-day cooling off period.
W	Written Off (Adverse Code)	Account written off due to non-payment.
Y	Prescription Interrupted Indicator	Used to indicate that an account is in arrears and that prescription has been lawfully interrupted.
Z	Deceased	Where a consumer has been confirmed as deceased.

DATA VALIDATION STATUS CODE

Will not be displayed but required for data submissions.

CODE	DESCRIPTION	DEFINITION
Y	Prescription Interrupted Indicator	Used to indicate that an account is in arrears and that prescription has been lawfully interrupted.
N	Pending Registration Removal	Used on Account Types B and H in the event of an NTU or where a Pending Registration has been converted to a registration. This status code will act as an instruction to the bureau to remove the Pending-Registration record from the bureau database. Status Code N will not be displayed in the Payment Profile Line or on the Account Record.