



# INFORMATION REGULATOR (SOUTH AFRICA)

*Ensuring protection of your personal information  
and effective access to information*

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**TO: EDITORS**

**MEDIA STATEMENT**

## **UPDATE ON EXPERIAN SOUTH AFRICA'S DATA BREACH**

The Information Regulator (Regulator) has received information from a whistleblower that the personal information of data subjects that was released as a result of the Experian data breach has found its way to the Dark Web. The whistleblower has informed the Regulator that the information of natural persons that is hosted on the Dark Web includes their cell numbers, home and work phone numbers, employment details and identity numbers. The personal information of companies includes the names of the companies, contact details, VAT numbers and Banking details.

The Regulator is extremely disturbed about the information that it has received from the whistleblower, particularly because during the meeting which it held with Experian last week, its Chief Executive Officer, Mr. Ferdie Pieterse assured the Regulator that Experian had obtained an Anton Piller order and managed to execute the order in terms of which the personal information of data subjects was appropriately secured.

Yesterday the Regulator wrote to Experian, informing them about the information received from the whistleblower. Experian responded as follows "I can confirm that we have located the files on the internet and that we are currently running an analysis on the files to ascertain whether it is an exact match. **However, our preliminary investigation indicates that it is reasonable to assume that it is the files that were released to the fraudster** and we have issued a public notification to this effect". In the same response, Experian indicated that they were working on taking the files down from the internet and conducting further investigations.

The Regulator was further informed that the site was hosted in Switzerland. Later in the day, the Regulator received a further correspondence from Experian in which it confirmed that they have verified that the files on the internet were the misappropriated data. The files were reported to have been removed from the site and a further investigation is being conducted by Experian. Last night the Regulator received another correspondence from Experian confirming that the data was not on the dark web but placed on a third party data sharing site on the internet, and that the third party has disabled the links and the data has been removed.

Whilst the Regulator appreciates the prompt response and cooperation it has received from Experian, it is concerned that the personal information of data subjects continues to be vulnerable and Experian seem to be struggling to secure the protection of personal information of millions of South Africans. The Regulator is mindful of the fact that the Protection of Personal Information Act (POPIA) gives responsible parties up to 1 July 2021 to ensure that all processing of personal information conforms with the Act. However, the Regulator would like to advise the public that the grace period provided for in POPIA does not absolve responsible parties from the legal obligation of ensuring that they process personal information in accordance with POPIA.

The information which Experian has provided to the Regulator so far raises serious concerns, in so far as protection of personal information is concerned. In an effort to explore a suitable solution that will ensure the appropriate protection of personal information of data subjects, the Regulator has decided to conduct an independent review to assess the extent of the data breach and to explore a suitable solution that will ensure that all the personal information disseminated by Experian is appropriately protected. Having being informed that the site is hosted in Switzerland, the Regulator will also bring the data breach to the attention of its counterpart in Switzerland, the Federal Data Protection and Information Commissioner, since the breach involves cross border flow of personal information.

Experian has undertaken to cooperate with the Regulator in the review process.

The Regulator implores Experian to comply with its legal obligation of notifying all the data subjects whose personal information has been unlawfully accessed or acquired by an unauthorised person.

**End.**

**Issued by the Information Regulator on 03 September 2020.**

**For more information, please contact:**

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