



**INFORMATION
REGULATOR
(SOUTH AFRICA)**

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

MEDIA STATEMENT

INFORMATION REGULATOR SHOCKED AT THE CONTINUED COMPROMISE OF EXPERIAN DATA

27 OCTOBER 2021

In what appears to be a continuation of the data breach that Experian experienced on 19 August 2020, the Information Regulator was shocked to learn, on 24 October 2021, that the personal information of people whose data had been part of the Experian data breach had been placed on a public domain using a messaging application.

According to the whistleblower that alerted the Regulator some of data subjects, a term used in the Protection of Personal Information Act to refer to people about whom the personal information relates, include private individuals, business leaders, prosecutors, judges, ministers, politicians and senior public officials. The database containing this personal information was downloaded over a hundred times before Telegram removed the page with the link to the database.

In 2020 Experian experienced a data breach that had *“exposed some personal information of as many as 24 million South Africans and 793 749 business entities to a suspected fraudster”*, as was reported by the South African Banking Risk Information Centre (SABRIC) at the time.

An independent investigation commissioned by the Information Regulator after the incident found that Experian had entered into a commercial engagement with a person misrepresenting themselves as a Director of a legitimate company. The perpetrator provided Experian SA with 25,055,049 names, surnames and South African identity numbers, which Experian SA verified. The data shared by Experian SA was limited to contact information for the persons contained in the data set provided by the perpetrator, including telephone, email and physical address and employment data, which includes place of work, title, start date and work contact details. No personal consumer credit, financial or banking information was shared by Experian

SA. In addition, Experian SA did not provide the perpetrator with any identity details. The perpetrator also provided Experian SA with approximately 790,000 businesses names, addresses and registration numbers. The business information that Experian SA shared in return consisted of company registration details, general business information, company contact information and credit profile information. For 24,838 business entities, bank account numbers were also shared.

On 24 October 2021, the Regulator was informed that some of that personal information has again been made available for downloading without the consent of the data subjects. In a letter sent to the Regulator on 24 October 2021, Experian stated that as a response to this latest violation of privacy rights of data subjects, the company had submitted a take-down notice request to the messaging service, and they have also informed law enforcement agencies. The company has reported to the Regulator that it has instructed its lawyers to request the mobile operator to suspend the cellphone account of the user that dumped the data and made it publicly accessible. According to Experian, the identity of the person who has illegally disclosed the personal information of data subjects without their consent is unknown.

The Chairperson of the Information Regulator, Adv. Pansy Tlakula, has warned the public from accessing the link provided on the messaging application where some of this information has been uploaded. "We urge members of the public to exercise caution when coming across the link that supposedly contains a database with details of millions of South Africans. It could well be that the link is a Trojan horse for other malware. We further appeal to members of the public that get sent the link to the messaging app not to distribute it any further. By doing so, they would be perpetuating the commission of a crime in terms of our laws regulating the protection of personal information and laws on cybercrimes," she said.

The Regulator is deeply concerned that personal information that had been illegally accessed in 2020 remains accessible contrary to assurances to the Regulator that the personal information had been removed from platforms where it had been dumped in 2020. The investigation commissioned by the Regulator in 2020 had found that there were two instances where some of this data had appeared online. The first was on a publicly viewable file sharing site, even though it was not determined how the data got there and who may have accessed it. The Regulator was informed that this data was removed after it was reported to the owners of the file sharing site. The second was a DarkWeb marketplace that was not generally available to the public, where attempts were made to also sell the data, again the Regulator was informed that this was removed shortly after discovered.

“Telegram took the right decision by removing the page with the link from its platform, however this came late because the database with the personal information of data subjects had already been downloaded more than a hundred times. This means this data is still available in the public domain. Given the massive amount of data that was illegally obtained from Experian in 2020, and the evidence that this data remains in various platforms, contrary to assurances that had been given to us, it is clear that we have not seen the last incident of this type of exposure of people's personal information. The Regulator has a responsibility to the data subjects and the public, and we will not hesitate to take strong action should we find evidence of continued activity that compromises the security of personal information of any person,” Tlakula added.

ENDS

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