

INTERACTIVE



**DMASA**

DIRECT MARKETING ASSOCIATION OF SOUTH AFRICA

A photograph of three people in a modern office setting. A man in a white patterned shirt stands in the center, leaning forward. A woman in a yellow top is on the left, and a man in a green sweater with headphones is on the right. They are all smiling. The background shows office desks, computers, and plants.

# CODE OF CONDUCT UPDATE

**CODE FINAL CONCLUSION  
INDUSTRY POSITION ON  
TELEMARKETING ISSUES**

**SPONSORSHIP**

# OUR

## CODE OF CONDUCT PROGRESS REPORT AND SPONSORSHIP



### AN INDUSTRY CODE?

DMASA developed a proposed code of conduct that deals with how personal information will be processed in the direct marketing industry. The code of conduct was submitted to the Information Regulator ("Regulator") in terms of section 61 (1 )(b) of POPIA.

On 14 June 2023, the Regulator published the proposed code of conduct for public comments in terms of section 61 (2) of POPIA.



On 08 September 2023, the Regulator responded with comments that the DMASA would need to address on the code of conduct such as to consider whether **telemarketing constitutes a form of electronic communication as per section 69 of POPIA.**



# THE

## ALTERNATIVE?

In short, if we don't act to create our own code, we put our companies and our industry at risk. So, let's be clear, drafting a new code of conduct that is accepted as our industry code of conduct is actually a massive opportunity that we need to grab with both hands. As experienced business people, you will all understand that opportunities require investment—they don't just ripen on the tree and drop into your basket. What we will need, and what I'm asking you for, is commitment to the process.



# THE

## ASK?

That commitment comes in two forms. It would be both wrong and counterproductive for DMASA simply to draft the code on it's own. As an industry body, we must collaborate with our members, not just because it's the right thing to do but also because it's the smart thing to do. Collaborating with you all is how we access the best minds in the industry, and thus get the best possible code in the end.

# WHERE YOU

## CAN HELP?

### INDUSTRY CODE

*The DMASA acknowledges the Regulator's decisions on telemarketing and its implications for our members and the industry.*

*With the recent submission of our Code to the Information Regulator, we have embarked on a journey towards compliance and excellence. The feedback received from the Regulator underscores the critical importance of our role in shaping the discourse surrounding electronic communications, especially concerning telemarketing if it does form part of Section 69 of the POPI Act.*

*The regulatory environment is dynamic, with policies and regulations constantly adapting to the rapid advancements in technology. We've observed a continuous stream of changes being addressed by policymakers, highlighting the need for vigilance by our industry body the DMASA. It's imperative that we remain abreast of these discussions and assert our stance in alignment with our values and objectives.*

*Reflecting our commitment to compliance and best practices, DMASA is seeking securing legal opinions on telemarketing's classification as electronic communication under POPIA. We will continue to seek legal advice to ensure our members comply with regulatory requirements and uphold consumers' privacy rights.*

*DMASA aims to enhance clarity and mutual understanding of compliance issues, benefiting consumers, marketers, and the industry at large.*

*To address the pertinent issues at hand and advance our industry's agenda, we recognize the need for adequate funding.*

*We firmly believe that partnership and collaboration are essential for the betterment of our industry.*

***The DMASA will be the custodian of Prior Authorisation! A huge win for the industry and ensuring organisations have legitimate databases registered with the Information regulator!***

Yours in Compliance



**David Dickens**

CEO of the DMASA

# COST AND

## TARGET

**1. New Code Development**  
R1 000 000.00



**2. Telemarketing**  
R 700 000.00



**3. Resubmission of the Code**  
R 500 000.00



**5. Communication Roll-Out**  
R 500 000.00



**4. Roadshow**  
R 500 000.00



# COST AND

## TARGET

The key requirement is R3,2 million :

### **1. NEW CODE DEVELOPMENT - COMPLETE**

- Consultants – Code development
- Review panels
- Circulation and printing
- Marketing collateral development
- Legal review fees
- Development of POPIA submission pack to IR  
R1 000 000.00

### **3. RESUBMISSION OF THE CODE**

- DMASA will submit another application which comprehensively addresses the concerns raised by the Regulator.
- Review panel
- Conducting survey research
- Consultants
- Development of Code of Conduct submission pack
- Re-submit to IR  
R500 000.00

### **2. TELEMARKETING**

- Acquire expert legal opinions from Werkmans Attorney and Novation Consulting and Snail Attorneys @ Law.
- Consultants
- Legal review fees
- Legal position  
R700 000.00

### **4. ROADSHOW**

- Stakeholder engagement (Government, Marketers, Members )
- Lobbying eligible organisations to become compliant with the DMASA Code of Conduct
- Educating consumers
- Sharing best practices  
R500 000.00

### **5. COMMUNICATION ROLL-OUT**

- Rebranding
- Public relations (Radio and Street pole adverts)
- Digital and social marketing platform
- R500 000.00





# OUR CODE OF CONDUCT

Thank you for joining us on this captivating journey. Your trust and support inspire us to reach new heights and make a positive impact. Together, let us be agile, adaptable, and relevant in the direct marketing industry.

We intend to resubmit the code of conduct that will follow the guidelines set out by the Information Regulator and establish legal certainty on the Call Centre position!

