



THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA) INFORGRAPHIC



WHAT YOU SHOULD KNOW AND BE ASKING ABOUT THE ACT?

The Protection of Personal Information Act, No 4 of 2013 (POPIA) promotes the protection of personal information by public and private bodies. The Act has been signed into law by the President on 19 November 2013 and published in the Government Gazette Notice: 37067 on 26 November 2013.



WHAT IS THE BRIEF PURPOSE OF POPIA?

Is to balance the legitimate needs of organisations, institutions and business with the constitutional right to privacy of individuals or data subject whose personal information is being used by ensuring that data subjects personal information are not abuse or compromised in any way.

The Act aims to achieve this balance through introduction of the following eight (8) conditions and key information processing principles:

01. Accountability

The University must ensure that conditions contained in the Act are fully complied with and that the information processing principles are complied with.

02. Processing Limitation

Personal information of University students, employees, service providers and alumni may only be processed in a fair and lawful manner i.e. personal information may only be processed if it is adequate, relevant and not excessive given the purpose for which it is processed.

03. Purpose Specification

Personal information of University students, employees, service providers and alumni must be collected for a specific, explicitly defined and lawful purpose relating to a function or activity of the University.

04. Further Processing Limitation

Personal information of University students, employees, service providers and alumni may not be processed for a secondary incompatible purpose.

05. Data Quality

The University must ensure that the personal information of its students, employees, service providers and alumni is kept reliable, accurate and up to date.

06. Openness

The University students, employees, service providers and alumni should be aware that their personal information is being collected and certain prescribed information must be provided to the data subject by the University including the purpose for which the information is collected and whether or not the supply of the information by the data subject is voluntary or mandatory.

07. Security Safeguards

The University must secure the integrity of personal information in its possession or under its control by taking prescribed measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information.

08. Data Subject Participation

A data subject has the right to request the University the following information free of charge:

- Can request the record or a description of the personal information held.
- To correct or delete personal information that is inaccurate, irrelevant, excessive, misleading or obtained unlawfully.
- Destroy or delete personal information records that the University is no longer authorised to retain.

What is a data subject?

A data subject is the person to whom the personal information relates.

Does the POPIA Act apply to the University?

Yes, the POPIA Act is applicable to every business in South Africa that accumulates, uses, stores or destroys personal information of data subject (clients, customers, users, students, staff etc.), which is entered into their business records by using automated or non-automated means.

Does the University have to register an Information Officer?

The Act requires every business to register an Information Officer with the Information Regulator. Prof KJ Masha, University Registrar is designated as the University Information Officer.

What is personal information according to POPIA?

Personal information is any piece of information that relates to a living, identifiable human being directly or indirectly. It includes, but is not limited to:



What are some of the University obligations under POPIA?

- To collect information needed for a specific purpose only.
- Ensure and apply reasonable security measures to protect collected information.
- Ensure information collected is relevant, accurate and up to date.
- Allow data subject access to their information upon request.

So where is the "stick and carrot" for POPIA?

The University will then have 12 months to become fully compliant or face the prospect of some potentially stiff penalties (including fines of up to R10 million) - or worse - reputational damage and loss of customers. That is the "stick" part.

The "carrot" aspect is the opportunity to boost confidence in the University by demonstrating the way sensitive personal data is managed. This means showing that the University has processes and procedures in place to handle effectively and securely all aspects of what's covered in the POPIA.



Protection of personal information isn't a choice, it is the law and all UL Community Members are affected and compliance is mandatory.

DO NOT:

- Ignore POPIA; it won't go away!
- Put off your compliance efforts just because the University have a 12-month grace period.
- Underestimate the amount of work that is required to change our policies, processes and procedures, documentation and systems.
- Panic! POPIA compliance is more like climbing Table Mountain than Mount Everest.
- Rush our compliance efforts; a structured, project-based approach to make our compliance efforts effective is necessary.

Please direct any POPIA related queries, questions and/or complaints to the University Records Manager at:

Office of the Registrar
Administration, A-Block
Telephone: X 2408 / 2105
E-mail: madichakga.malahlela@ul.ac.za