

## GUIDANCE NOTE: POPIA ANNEXURE B

### 1. What POPIA is about:

The Protection of Personal Information protects personal information from misuse and abuse. Visit <https://popia.co.za/> to access the act.

You will note that it has an elaborate definition clause. Because it is so voluminous, this notice cannot possibly feature all aspects of the act. Remember that Act 4 of 2013 is your primary source on all things POPIA.

### 2. Where to find key definitions:

Click here for a list of key definitions: <https://popia.co.za/section-1-definitions/>.

### 3. What are your rights as a data subject?

It includes, but is not limited to:

You may object to the Processing of your Personal Information.

You may establish whether a Responsible Party holds your Personal Information.

You may request that the Personal Information held by a Responsible Party be corrected or destroyed.

You may refuse the processing of your Personal Information for direct marketing purposes, such as unsolicited electronic communications.

You have the right to be notified before your Personal Information is used for a purpose other than the purpose you consented to it being collected and used for.

You have the right to lodge a complaint with the Information Regulator, as constituted in terms of POPIA and any regulations thereto, against the Responsible Party, and to institute civil proceedings against that party.

#### 4. Our newsroom and POPIA

We have an editorial department. In terms of Section 7 of the act, a Responsible Party who processes Personal Information for exclusively journalistic purposes, and who is subject to the Press Code, is excluded from the working of the act.

Such a journalist or editor is subject to clause 4 of The Press Code of Ethics and Conduct for South African Print and Online Media:

##### “4. Protection of Personal Information

The media shall:

- 4.1 take reasonable steps to ensure that the personal information under their control is protected from misuse, loss, and unauthorized access;
- 4.2 ensure that the personal information they gather is accurate, reasonably complete and up to date;
- 4.3 take steps to verify the accuracy of their information and, if necessary, amend it where a person requests a correction to be made to his or her personal information;
- 4.4 only disclose sufficient personal information to identify the person being reported on as some information, such as addresses, may enable others to intrude on their privacy and safety; and
- 4.5 inform the affected person(s) and take reasonable steps to mitigate any prejudicial effects where it is reasonably suspected that an unauthorized person may have obtained access to personal information held by the media.”

Any alleged interference with the protection of the personal information of a data subject that may arise as a result of such processing must be adjudicated as provided for in terms of the Press Code. Report such instances at [www.presscouncil.org.za](http://www.presscouncil.org.za).

#### 5. Our non-newsroom divisions fall within the ambit of POPIA

We undertake to:

Take reasonable steps to ensure that we comply with the act.

Act responsibly and lawfully when obtaining and processing Personal Information.

(This means that we will only process Personal Information for lawful purposes, such as when necessary to execute our duties in terms of, for example, an agreement.

Obtain consent from Data subjects before obtaining their Personal Information).

Inform Data Subjects of the purpose of collecting their Personal Information before obtaining it.

Inform Data Subjects of their right to object having their personal information processed.

Ensure that Data Subjects' Personal Information is handled and stored safely and responsibly.

Inform Data Subjects of their rights to have their Personal Information updated, and the right to request it being deleted or destroyed.

Destroy Personal Information when we no longer need it for its intended purpose, or legal or financial reasons.

*NOTE THAT THIS EXAMPLE DOES NOT CONSTITUTE LEGAL ADVICE. THE SENDER WILL NOT ACCEPT ANY RESPONSIBILITY FOR THE APPLICATION THEREOF BY ANY PERSON OR INSTITUTION TO ANY SPECIFIC SCENARIO.*

Honour Data Subjects' rights.

We follow the principles of lawful processing when dealing with personal information. This means, among other things, that we take reasonable steps to ensure that our personal information records are updated and accurate. We are open about our practices and implement reasonable security safeguards when dealing with personal information.

Our company's Information Protection Officer is \_\_\_\_\_. You can contact him/her at \_\_\_\_\_.

You can contact the Information Regulator at [infoereg@justice.co.za](mailto:infoereg@justice.co.za).

*NOTE THAT THIS EXAMPLE DOES NOT CONSTITUTE LEGAL ADVICE. THE SENDER WILL NOT ACCEPT ANY RESPONSIBILITY FOR THE APPLICATION THEREOF BY ANY PERSON OR INSTITUTION TO ANY SPECIFIC SCENARIO.*