

POPIA: 8 CONDITIONS FOR COMPLIANCE

There are 8 conditions defined within the POPI Act which must be addressed for a responsible party to be compliant. The conditions may be summarised as follows:

1: Accountability

The organisation must appoint a party (Information Officer) who will be responsible for ensuring that the information protection principles within POPIA and the controls that are in place to enforce them are complied with.

2. Processing Limitations

The second condition deals with the lawfulness of processing, minimality of information collected, consent, justification and objection, and the collection of personal information directly from the data subject.

3. Purpose Specification

Personal information must be collected for a specific purpose and the data subject from whom the personal information is collected must be made aware of the purpose for which the personal information was collected.

4. Further processing limitation

The fourth condition regulates the further processing of personal information. If a responsible party further processes personal information, such processing must align with the purpose for which the information was initially collected.

Principle 5: Quality of information

The responsible party must take reasonable steps to ensure that the personal information that has been collected is complete, accurate, not misleading and up to date. In so doing, the responsible party must take into consideration the purpose for which the personal information was collected.

Principle 6: Openness

The responsible party must be open about the collection of personal information by notifying the Regulator if it is going to process personal information and, if personal information is going to be collected, the responsible party must take reasonably practicable steps to ensure that the data subject has been made aware that his or her personal information is going to be collected.

Principle 7: Security Safeguards

The responsible party must ensure that the integrity of the personal information in its control is secured through technical and organisational measures.

Principle 8: Data Subject Participation

Data subjects have the right to request that a responsible party confirm (free of charge) whether it holds personal information about the data subject, and he or she may also request a description of such information.



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