

Information Regulator nominations finally approved

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Approval of office bearers brings compliance obligations with SA privacy law a step closer

Organisations dealing with personal information should note the recent approval of nominations to the office of the Information Regulator. The IR will be responsible for monitoring and enforcing compliance and handling complaints in respect of the Protection of Personal Information Act (POPI).

On 7 September 2016 the National Assembly approved the nomination of the five members of the IR, a new body that will perform its functions in terms of POPI and the Promotion of Access to Information Act (PAIA). The nominations are yet to be confirmed by the Minister of Justice and Correctional Services and thereafter finally approved by the president.

The office of the IR will consist of: Chairperson Advocate Pansy Tlakula; full-time members Advocate Lebogang Stroom and Johannes Weapond; and part-time members Sizwe Snail and Professor Tana Pistorius.

Once in office the most immediate actions the IR is likely to take are:

- setting a commencement date for POPI, thereby triggering the 12-month period after which the Act will be enforced; and
- drafting regulations to implement the Act, which will set out compliance obligations under POPI.

Members should note that the earliest the Act is predicted to be in force is mid-2017. Organisations will not be liable for non-compliance for a period of 12 months from the commencement date.

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