

COUNTDOWN TO POPIA: Registering an Information Officer and Deputy Information Officer

Compiled by Preeta Bhagattjee and Reece Westcott

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The registration of Information Officers (IOs) and Deputy Information Officers (DIOs) is, in terms of section 55(2) of the Protection of Personal Information Act 4 of 2013 (POPIA), mandated before an IO or DIO may assume their duties. However, both the process and deadline for registering IOs and DIOs has been subject to some uncertainty and the Information Regulator has now provided clarity in this regard.

Deadline for registering

The Information Regulator published its Guidance Note for the registration of IOs and DIOs (the Guidance Note) on 1 April 2021, which provided details on the procedures and the relevant forms (which are to be submitted to the Information Regulator) in respect of the appointment, designation, delegation and registration of IOs and DIOs. The Guidance Note itself did not provide insight as to the deadline for registration, only stating that registration would commence as of 1 May 2021, and that an online registration portal would be made available before then. While

the IO may submit the registration form manually, the Information Regulator has encouraged the use of the online portal so as to streamline and speed up the registration process.

The Information Regulator has been delayed in making this online registration portal available and has indicated that they have had technical issues with the launch of this portal. The Information Regulator has since issued an announcement on their website indicating that registration of IOs and DIOs may take place up until the end of June 2021. The announcement,

however, encourages responsible parties to submit their registration documents as soon as possible after the portal is made available.

Expiry of the grace period

With very little time left before the 1 July 2021 deadline, the Information Regulator has thus far communicated that it does not intend on extending the grace period past 1 July 2021. Responsible parties are accordingly encouraged to take a pro-active approach to their POPIA compliance.

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