

11 NOVEMBER 2020

# TECHNOLOGY, MEDIA & TELECOMMUNICATIONS SECTOR ALERT

## IN THIS ISSUE >

### POPIA: De-mystifying the role of an information officer

An important aspect of POPIA compliance is the appointment of an information officer. The purpose of this infographic is to assist you in understanding the duties and responsibilities of information officers, considerations related to their appointment and other questions you may wish to consider.

FOR MORE INSIGHT INTO OUR  
EXPERTISE AND SERVICES

CLICK HERE 



# POPIA:

## De-Mystifying the Role of an Information Officer



Given the importance of data as a **valuable business asset**



in leveraging key business strategies to enhance, grow and diversify businesses, the appointment of an information officer responsible for your business's POPIA compliance (required by the Protection of Personal Information Act 12 of 2013 (POPIA)) should be a strategic decision.

**Have you thought about who is the right person for the role of an information officer and deputy information officer/s in your business?**



### Why the role of an information officer is important?



Establishment of an effective privacy office.



Data breach, cybercrimes and cybersecurity risk preparedness.



Non-compliance attracts civil and criminal liability.



### Duties and responsibilities

Ongoing POPIA Compliance.



Developing a compliance framework.



Conducting impact assessments.



Update PAIA Manual.



Respond to POPIA requests.



Ongoing staff training and awareness.



Cooperating with the Information Regulator.



Reporting Data Breaches.



**Deadline for registration with information regulator**



**Can you centralise the role of an information officer in a group of companies?**



Yes, while you require separate registration of the information officer per responsible party, you can leverage common expertise and centralise POPIA compliance.

### Key considerations for determining the appointment



Seniority.

Knowledge of POPIA.



Legal qualifications.

Institutional Knowledge.



Trust relationship and accountability.

Conflicts of interest.



**Can you appoint an external party as an information officer?**

A private body may, however a public body may not.

# CDH DATA PROTECTION RESPONSE TEAM

## KEY CONTACTS



**PREETA BHAGATTJEE**  
Sector Head  
Technology, Media & Telecommunications  
preeta.bhagattjee@cdhlegal.com



**AADIL PATEL**  
National Practice Head, Director  
Employment Law  
aadil.patel@cdhlegal.com

## TECHNOLOGY, MEDIA & TELECOMMUNICATIONS TEAM



**CHRISTOFF PIENAAR**  
National Practice Head, Director  
christoff.pienaar@cdhlegal.com



**APHINDILE GOVUZA**  
Senior Associate  
aphindile.govuza@cdhlegal.com



**FATIMA AMEER-MIA**  
Director  
fatima.ameermia@cdhlegal.com

## EMPLOYMENT LAW TEAM



**FIONA LEPPAN**  
Director  
fiona.leppan@cdhlegal.com



**BHEKI NHLAPHO**  
Senior Associate  
bheki.nhlapho@cdhlegal.com



**GILLIAN LUMB**  
Director  
gillian.lumb@cdhlegal.com



**SEAN JAMIESON**  
Senior Associate  
sean.jamieson@cdhlegal.com



**ANLI BEZUIDENHOUT**  
Senior Associate  
anli.bezuidenhout@cdhlegal.com

### BBBEE STATUS: LEVEL TWO CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

### PLEASE NOTE

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

### JOHANNESBURG

1 Protea Place, Sandton, Johannesburg, 2196. Private Bag X40, Benmore, 2010, South Africa. Dx 154 Randburg and Dx 42 Johannesburg.  
T +27 (0)11 562 1000 F +27 (0)11 562 1111 E jhb@cdhlegal.com

### CAPE TOWN

11 Buitengracht Street, Cape Town, 8001. PO Box 695, Cape Town, 8000, South Africa. Dx 5 Cape Town.  
T +27 (0)21 481 6300 F +27 (0)21 481 6388 E ctn@cdhlegal.com

### STELLENBOSCH

14 Louw Street, Stellenbosch Central, Stellenbosch, 7600.  
T +27 (0)21 481 6400 E cdhstellenbosch@cdhlegal.com

©2020 9551/NOV

