

POPI ACT

FREQUENTLY ASKED QUESTIONS.



1 WHAT IS THE POPI ACT?

It is a code of conduct for all businesses. It seeks to regulate every step of how Personal Information must be handled from the moment it is collected until the moment it is destroyed. The POPI Act identifies three parties, the Data Subject, the Responsible Party and the Operator.



2 WHO DOES IT AFFECT?

EVERYONE!

The Act applies to any person or organisation who keeps any type of records relating to the personal information of anyone like banks, insurance companies, medical aids, etc.



3 HOW DOES IT AFFECT MY BUSINESS?

It requires businesses to regulate how information is organized, stored, secured, and discarded. This ensures that the business can maintain the integrity and confidentiality of its clients' and employees' personal information by preventing loss, damage, and unauthorized access to the personal data.



4 WHAT HAPPENS IF I DON'T COMPLY?

Non-compliance with POPI can have a severe impact on the bottom line. The act itself provides for civil claims for damages, criminal prosecution and administrative fines.



5 HOW DOES THE POPI ACT AFFECT MARKETERS?

Marketers collecting personal information, need to ensure to get consent before sharing someone's information. Collect information for valid reasons. Be transparent and accountable about how their data will be used. Notify users if their data is compromised. Provide users with access to their data and enable them to have it deleted or removed if they so wish.



6 IS THE POPI ACT THE SAME AS THE GDPR?

They are similar, but POPI refers to personal information, while the GDPR refers to personal data, many of the substantial obligations set out in the GDPR are also required by POPI.

The broad elements of the POPIA compliance journey will encompass the following:

