

# POPIA

## PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013



### POPIA APPLIES TO

Any public or private body or any other person which alone or in conjunction with others, determine the purpose of and means for processing personal information.

Any person who processes personal information for a responsible party in terms of a contract or mandate without coming under the direct authority of the responsible party.

### **T** PURPOSE OF POPIA

o give effect to the **constitutional right to privacy** and **safeguard personal information** when a *responsible party processes it*.

#### Protection of Personal Information Policy

The West Coast District Municipality regard the protection of personal information very important and wish to ensure that all personal information kept by the municipality is effectively safeguarded.

#### Exemptions or exclusions from compliance with POPIA

There are a number of exclusions and exemptions from compliance with the information processing principles prescribed by POPI. These exclusions and exemptions apply depending on the type and how the information is processed.

**General exclusions:** If personal information is processed for a personal or household activity; is processed and **de identified** and it cannot be re-identified; is processed by a **public body** for national security purposes or to prevent, detect or investigate a crime provided there is another law in place that protects the personal information processed; is processed by Cabinet and its committees or the Provincial Cabinet.

#### **Section 7 Journalistic, literary or artistic exclusions:**

Information Regulator exemption to a substantial degree

- **public interest** outweighs the right to privacy; OR
- **clear benefit** to the data subject or a third party that outweighs the right to privacy.