



Obligations of Responsible Parties

POPIA requires all responsible parties, in relation to personal information in its possession or under its control, to:

- a) Secure the integrity and confidentiality of the personal information;
- b) Take appropriate, reasonable technical and organisational measures to prevent the loss of, or damage to the personal information;
- c) Prevent unlawful access to, and unauthorised processing or destruction of the personal information;
- d) Identify internal and external risks to the personal information;
- e) Establish and maintain appropriate safeguards against losing or damaging personal information
- f) Regularly verify the safeguards; and ensure that the safeguards are continually updated.

Subject to certain exclusions, POPIA applies to the automated or non-automated processing of personal information entered into a record in any form (provided that when the recorded personal information is processed by non-automated means, it forms part of a filing system or is intended to form part thereof) by or for a responsible party who or which is domiciled in or outside South Africa, or not domiciled in South Africa, unless the processing relates only to the forwarding of personal information through South Africa.

Summary:

Organisations are required to put appropriate and reasonable technical and organisational measures in place to secure the integrity and confidentiality of any personal information in their possession and control (even when outsourced).

This they must do by establishing and maintaining both technological and physical safeguards in respect of all electronic and physical personal data. They must identify reasonably foreseeable risks, and regularly verify that these safeguards are effective and that they are updated in response to control failures or expose new risks.