

YOUR MUNICIPALITY AND POPI

With the final effective date of the Protection of Personal Information Act ("POPI") imminent, there are a few things that your municipality should take note of.

POPI aims to protect the personal information of individuals and juristic persons in South Africa. Personal information is defined as any information relating to an identifiable, living, natural person and where applicable, an identifiable, existing juristic person. Most of the information that municipalities process on behalf of their constituents is considered personal information.

Although POPI has not yet taken effect fully, Munsoft processes all personal information in its possession according to the eight processing principles set out in POPI. This obligation forms part of the Munsoft obligations in terms of the Master Services Agreement ("MSA") between Munsoft and your municipality. Our MSA also provides that you, as the client, must also comply with all your responsibilities in terms of POPI. Briefly, the eight processing principles of POPI are as follows:

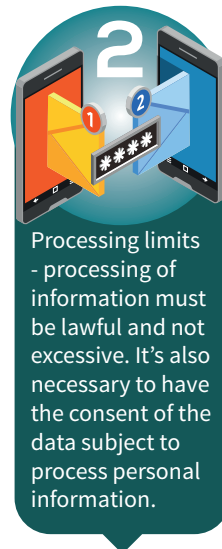
This document sets out some important matters to be considered by your municipality prior to the effective date of POPI. The information contained herein is for information purposes only and should not be relied on as professional advice. Each municipality should ensure that they develop their own POPI compliance framework and policies.

PLEASE NOTE:

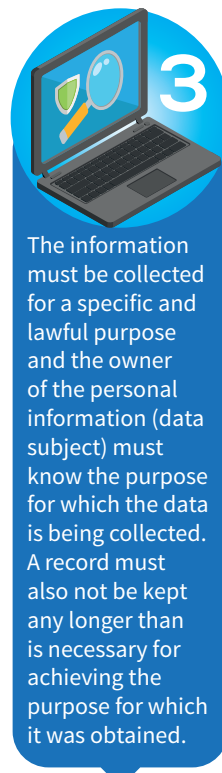
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Accountability – compliance with the principles set out in the Act.



Processing limits - processing of information must be lawful and not excessive. It's also necessary to have the consent of the data subject to process personal information.



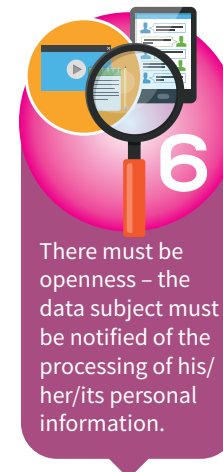
The information must be collected for a specific and lawful purpose and the owner of the personal information (data subject) must know the purpose for which the data is being collected. A record must also not be kept any longer than is necessary for achieving the purpose for which it was obtained.



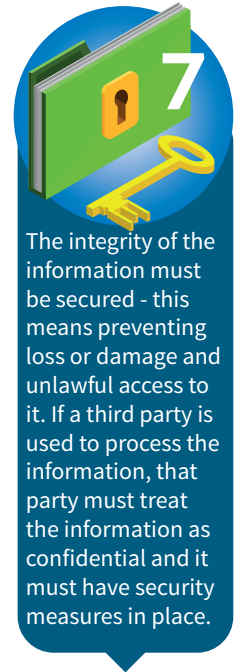
Any further processing of information must be compatible with the purpose for which it was collected.



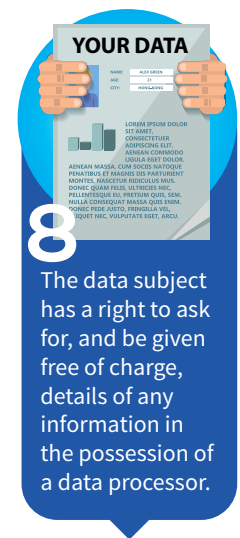
The information must be accurate.



There must be openness – the data subject must be notified of the processing of his/her/its personal information.



The integrity of the information must be secured - this means preventing loss or damage and unlawful access to it. If a third party is used to process the information, that party must treat the information as confidential and it must have security measures in place.



The data subject has a right to ask for, and be given free of charge, details of any information in the possession of a data processor.

Consent for processing forms a very important part of the processing obligations created by POPI. Munsoft obtains its consent from you in the MSA, but sometimes, when specific processing is required, additional consent may be sought by Munsoft from you.

Please contact your service delivery manager if you have any questions or concerns relating to the processing of personal information by Munsoft on behalf of your municipality.