

How the IACT-Africa & PTC POPI Act & PAIA Compliance Framework

meets the requirement in the POPI Regulations 2018 for a Compliance Framework

Introduction

The POPI Regulations 2018 (available at <http://www.gpwonline.co.za>) include further details on the Responsibilities of the Information Officer not contained in the POPI Act itself. Specifically section 4(1)(a) of the Regulations states that:

4. (1) An information officer must, in addition to the responsibilities referred to in section 55(1) of the Act, ensure that- (a) a compliance framework is developed, implemented, monitored and maintained

This document explains how clients of IACT-Africa & PTC can meet the requirement 4(1)(a) of the Regulations through deployment, monitoring and maintenance of the IACT-Africa/PTC POPI Act & PAIA Compliance Framework.

Definition of a Privacy Framework

For the purposes of compliance with the POPI Act, 2013 (POPIA) & PAIA, 2000 and POPI Regulations, 2018, IACT-Africa & PTC have selected the globally recognised and widely used international standard ISO29100:2011 as the Privacy Framework definition in terms of the POPI Regulations.

ISO29100:2011 has the advantage of being readily and freely available at <http://standards.iso.org/ittf/PubliclyAvailableStandards/index.html>. For more information on ISO29100:2011 please visit <https://www.iso.org/standard/45123.html> . The IACT-Africa/PTC POPI Act & PAIA Compliance Framework is aligned to ISO29100:2011.

Alignment of IACT-Africa/PTC POPI Act & PAIA Compliance Framework with ISO29100:2011 Privacy Framework

A detailed mapping of the specifications in ISO29100:2011 and how they align to the POPI Act and the EU General Data Protection Regulation (GDPR) and the IACT-Africa/PTC POPI Act & PAIA Compliance Framework is available on demand to clients of IACT-Africa/PTC.

Meeting the requirements of the POPI Regulations 4(1)a

The IACT-Africa/PTC POPI Act & PAIA Compliance Framework is based on both the need to comply with South African legislation (POPIA including POPI Regulations & PAIA) as well as providing a practical set of tools, templates and overall framework to support a Privacy Framework as required in the POPI Regulations. In terms of the POPI Regulations requirements (*(a) a compliance framework is developed, implemented, monitored and maintained*) the IACT-Africa/PTC POPI Act & PAIA Compliance Framework (IACT-Africa/PTC Framework) is:

- Developed: the IACT-Africa/PTC Framework has been developed aligned to ISO29100:2011 taking into account the requirements of the POPIA including POPI Regulations & PAIA. The development process has produced a comprehensive set of tools and templates to
 - Initiate and plan a POPIA/PAIA compliance project

- Assess risks of non-compliance
 - Consider the appropriate risk responses to identified risks
 - Translate risk response plans into agreed actions
 - Allow clients of the IACT-Africa/PTC Framework to adapt the Framework to their unique needs
- Implemented: clients of IACT-Africa/PTC can implement their compliance Framework through one or a combination of the following options:
 - Self-service deployment: relies on internal resources of the client organisation possibly supplemented by third party service providers but without direct assistance of IACT-Africa/PTC
 - Deployment services on a defined contract basis: consulting services are offered by IACT-Africa/PTC to support the implementation of the IACT-Africa/PTC Framework
 - Deployment services on an ad hoc (on demand) basis
- Monitored: clients of IACT-Africa/PTC can monitor their compliance Framework through one or a combination of the following options:
 - Self-service monitoring of the Privacy Framework: relies on internal resources of the client organisation possibly supplemented by third party service providers but without direct assistance of IACT-Africa/PTC
 - Monitoring services on a defined contract basis: consulting services are offered by IACT-Africa/PTC to support the monitoring of the IACT-Africa/PTC Framework
 - Monitoring services on an ad hoc (on demand) basis
 - Integral to the Framework is an ongoing compliance checklist for adapted use by clients to support monitoring of the Framework
- Maintained: clients of IACT-Africa/PTC can maintain the compliance Framework through one or a combination of the following options:
 - Self-service maintained IACT-Africa/PTC framework: relies on internal resources of the client organisation possibly supplemented by third party service providers but without direct assistance of IACT-Africa/PTC
 - Maintained Framework services on a defined contract basis: consulting services are offered by IACT-Africa/PTC to support the maintained Framework of the IACT-Africa/PTC Framework; optionally this includes providing updates to the tools and templates contained in the Framework
 - Maintained Framework services on an ad hoc (on demand) basis

For more information

IAC-Africa
John Cato johnc@iact-africa.com or

Peter Tobin Consultancy (PTC)
Dr Peter Tobin peter@p-t-c.co.za

Correct as at 31 January 2019