Course Title: Protection of Personal Information Act

Type of Course: Online

Learning Outcomes: Learners will understand what the POPI Act is, how it is applied in the wider South African context and more specifically, how it is applied within Bidvest International Logistics (BidvestIL)

Target Audience: All employees of BidvestIL

Prerequisites: Permanent Employment or Contracted Employment

Course Duration: 1 Hour

Course Outline: This course serves as an introduction to the Protection of Personal Information Act (POPI Act) for all existing and new employees. In addition there will be an annual refresher. The course deals with the subject under the following topic headings:

Number	Topic Name
1	What is POPI (Protection of Personal Information Act)
2	Purpose of POPI
3	Consequences of Non-compliance
4	How Does BidvestIL Manage Compliance with The Act
5	BidvestIL Policy on POPI
6	BidvestIL Company Standard for Information
7	Consent
8	Want to Know More?
9	Assessment Questions

Learners must study these notes in conjunction with the lessons in this course.

Additional information has been taken from www.michalsons.com

1. **What is the Protection of Personal Information (POPI) Act**
   The Protection of Personal Information Act (POPIA) is South Africa's data protection law. The POPI Act which came into effect on 1 July 2020 is designed to protect people from harm arising from theft and/or abuse of personal information. There are three involved parties being natural or juristic persons.
   - The Data Subject – the person to whom the information relates
   - The Responsible Party – the person who determines how and what information to process
   - The Operator – the person who processes information on behalf of the Responsible Party
2. **The Purpose of the POPI Act**
   - To promote the protection of personal information processed by public and private bodies;
   - to introduce certain conditions so as to establish minimum requirements for the processing of personal information;
   - to provide for the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of this Act and the Promotion of Access to Information Act, 2000;

- to provide for the issuing of codes of conduct;
- to provide for the rights of persons regarding unsolicited electronic communications and automated decision making;
- to regulate the flow of personal information across the borders of the Republic; and
- to provide for matters connected therewith.

The main motivation for complying with the Protection of Personal Information Act (POPIA) should be to protect people from harm.

3. **Consequences of Non-compliance**
   In addition to the risk of reputational damage, legislation provides for the following penalties:
   - A fine ranging from R1 million to R10 million
   - Imprisonment for periods ranging from 1 year to 10 years
   - Compensation to data subjects in recognition of the damage they may have suffered
4. **How Does BidvestIL Manage Compliance with The Act**
   BidvestIL maintains several documents offering guidance on the management of personal information including
   - how and where information is stored
   - risk analyses of loss/breach of information
   - consent forms

   These documents/guides may be found in the Document Governance Hub (DGH) at Link to POPI Library .
5. **The BidvestIL Policy on the POPI Act**
   In short, BidvestIL has a corporate responsibility to manage personal information both of employees, and of customers, in a responsible and legally compliant manner. BidvestIL will only process personal information for legitimate business purposes, and only with the consent of the Data Subject. Mechanisms are in place to deal with objections to the processing of personal information.
6. **BidvestIL Company Standard for Personal Information**
   The collection of personal information is guided by the Personal Information Matrix to be found in DGH. The acid test for determining whether the collection of specific information is necessary or not is to ask: "*Is this Personal Information (PI) a requirement for performing a task/fulfilling my work duties?*"
7. **Consent**
   Consent must be obtained from the Data Subject before processing of personal information related to or owned by that Data Subject. One must also be aware of the content of attachments or the body of emails because
   - Be careful not to breach POPI by inadvertently sharing personal information, and
   - There should be no expectation of privacy on any personal information sent from, received, or stored on BidvestIL owned devices (computers, mobile phones, tablets etc.) – See the BidvestIL Data, Voice, Infrastructure and Cybercrime Prevention Policy
8. Want to Know More
   Anyone wanting additional information relative to the POPIA may send an email request to popiaqueries@bidvestil.com