



#ashtag
ME

THE PROTECTION OF PERSONAL INFORMATION ACT

Policy:	POPIA
Previous update	None
Effective Date:	May 2021
Scheduled Review Date:	May 2021
Authorized by:	Director, General Manager and HR Practitioner
Custodian	HR Practitioner

CUSTOMER PRIVACY NOTICE

This Notice explains how we obtain, use and disclose your personal information, in accordance with the requirements of the Protection of Personal Information Act (“POPIA”).

At Hashtagme (and including this website, POPIAct-Compliance) we are committed to protecting your privacy and to ensure that your personal information is collected and used properly, lawfully and transparently.

About the Company

Hashtagme is a fully service marketing agency.

The information we collect

We collect and process your personal information mainly to contact you for the purposes of understanding your requirements and delivering services accordingly. For this purpose, we will collect contact details including your name and organisation.

We collect information directly from you where you provide us with your personal details. Where possible, we will inform you what information you are required to provide to us and what information is optional.

Website usage information may be collected using “cookies” which allows us to collect standard internet visitor usage information.

How we use your information

We will use your personal information only for the purposes for which it was collected and agreed with you. In addition, where necessary your information may be retained for legal or research purposes.

For example:

- To gather contact information;
- To confirm and verify your identity or to verify that you are an authorised user for security purposes;
- For the detection and prevention of fraud, crime, money laundering or other malpractice;
- To conduct market or customer satisfaction research or for statistical analysis;
- For audit and record keeping purposes;
- In connection with legal proceedings.

Disclosure of information

We may disclose your personal information to our service providers who are involved in the delivery of products or services to you. We have agreements in place to ensure that they comply with the privacy requirements as required by the Protection of Personal Information Act.



We may also disclose your information:

- Where we have a duty or a right to disclose in terms of law or industry codes;
- Where we believe it is necessary to protect our rights.

Information Security

We are legally obliged to provide adequate protection for the personal information we hold and to stop unauthorized access and use of personal information. We will, on an on-going basis, continue to review our security controls and related processes to ensure that your personal information remains secure.

Our security policies and procedures cover:

- Physical security;
- Computer and network security;
- Access to personal information;
- Secure communications;
- Security in contracting out activities or functions;
- Retention and disposal of information;
- Acceptable usage of personal information;
- Governance and regulatory issues;
- Monitoring access and usage of private information;
- Investigating and reacting to security incidents.

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

Your Rights: Access to information

You have the right to request a copy of the personal information we hold about you. To do this, simply contact us at the numbers/addresses as provided on our website and specify what information you require. We will need a copy of your ID document to confirm your identity before providing details of your personal information.

Please note that any such access request may be subject to a payment of a legally allowable fee.

Correction of your information

You have the right to ask us to update, correct or delete your personal information. We will require a copy of your ID document to confirm your identity before making changes to personal information we may hold about you. We would appreciate it if you would keep your personal information accurate.

Definition of personal information

According to the Act “personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person. Further to the POPI Act, Hashtagme also includes the following items as personal information:

- All addresses including residential, postal and email addresses.
- Change of name – for which we require copies of the marriage certificate or official change of name document issued by the state department.
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How to contact us

If you have any queries about this notice; you need further information about our privacy practices; wish to withdraw consent; exercise preferences or access or correct your personal information, please contact us at the numbers/addresses listed on our website.

Compliance to the Protection of Personal Information Act (POPIA), also known as the POPI Act, will be mandatory for most organisations in South Africa. As the Information Regulator develops the POPI Regulations further, so the dates and requirements will become clearer. See the latest status from the Information Regulator. This does not mean that organisations should wait until then. The European Union has developed the General Data Protection Regulations (GDPR) and are in the process of implementation. The Information Regulator is likely to follow similar principles and regulations. Until the POPI Act and Regulations are fully in place, following the GDPR will get you moving in the right direction.

Whilst the focus of the POPI Act is on compliance, our approach is to implement compliance in such a way that it delivers business value, so that it does not become a cost centre, or overhead, but rather allows for improvements in efficiencies and effectiveness, done in such a way as to meet the compliance requirements.

The site contains useful guidance and implementation tools to equip you to be POPI Act compliant. It will evolve over time as the Regulations are published. It will contain information about:

Understanding the POPI Act (POPIA)

This morning (22nd June 2020) the Presidency announced dates for compliance to POPIA. The dates are as follows:

Sections 2 to 38; sections 55 to 109; section 111; and section 114 (1), (2) and (3) shall commence on 1 July 2020.

Sections 110 and 114(4) shall commence on 30 June 2021.

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What does this mean:

Applicable immediately: 1 July 2020:

Sections 2 to 38; sections 55 to 109; section 111; and section 114 (1), (2) and (3).

The sections which will commence on 1 July 2020 are essential parts of the Act and comprise sections which pertain to, amongst others, the conditions for the lawful processing of personal information; the regulation of the processing of special personal information; Codes of Conduct issued by the Information Regulator; procedures for dealing with complaints; provisions regulating direct marketing by means of unsolicited electronic communication, and general enforcement of the Act

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This is the main body of the Act, and although Section 114 (1) (see below) gives a year, in principle, the time to act is now, and all organisations need to become compliant as soon as possible.

Applicable from 30 June 2021

Sections 110 and 114(4) shall commence on 30 June 2021.

Section 114(1) is of particular importance as it states that all forms of processing of personal information must, within one year after the commencement of the section, be made to conform to the Act. This means that entities (both in the form of private and public bodies) will have to ensure compliance with the Act by 1 July 2021. However, it stands to reason that private and public bodies should attempt to comply with the provisions of the Act as soon as possible in order to give effect to the rights of individuals.

The full press release can be viewed at: <http://www.thepresidency.gov.za/press-statements/commencement-certain-sections-protection-personal-information-act%2C-2013>

How to comply to POPIA

The Act applies to any person or organisation who keeps any type of records relating to the personal information of anyone, unless those records are subject to other legislation which protects such information more stringently.

1. Store personal data securely and minimise access to this data.
2. Remove personal data where it is not required and where there is no current user consent.
3. Respond to Subject Access Requests.
4. Report any breaches or loss of personal data both to regulators and individuals.

The General Data Protection Regulations (GDPR)

The General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information from individuals who live in the European Union (EU).

Similarities, and differences between POPIA and GDPR

Information can be access on

https://www.dataguidance.com/sites/default/files/onetrustdataguidance_comparingprivacylaws_gdprvpopia.pdf

Other related information.

This site is proudly sponsored by Hashtagme, a full-service marketing agency.

If you need any further information regarding the POPI Act, and simple steps to compliance, sign-up to our e-mail newsletter.

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