

The Protection of Personal Information (POPI) Act



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presents

Special features:

- "Tried-and-tested" in various South African organisations.
- The "A to Z" of POPI are covered comprehensively
- A highly knowledgeable and prominent course facilitator
- Cross-border transfer of personal information is tackled
- One-of-a-kind programme

Who should attend?

Company information custodians and professionals such as:

- Finance Professionals
- Human Resource Professionals
- IT Specialists
- Internal Auditors
- Risk and Compliance Specialists
- Information Management Specialists
- Knowledge Management Specialists
- Strategic Planning Specialists
- Sales and Marketing Specialists
- Business Development Specialists

Course duration: 2 Days

Course dates:

30-31 August 2016
13-14 September 2016
15-16 September 2016

Venue/s: Pretoria-specific venue to be advised

Course fee: R6600-00 per delegate

In-house presentation: Can be arranged at reasonable discounted fees.



The Challenge

Is it not scary to think that every second, someone is publishing his/her personal information on a public platform such as Google, Facebook or LinkedIn without thinking about his/her exposure to various risks? The next moment you get irritating phone calls promising you that you have just won R5 million or dollars; or you qualify for a free cell phone; or your bank account gets accessed, etc. The advent of technology enables others to process high volumes of data which is then used for various purposes. It is for this and other reasons that the POPI Act has been enacted to protect both companies and individuals' right to privacy and possible abuse of information with effect from 11 April 2014.

The purpose of the POPI Act is to ensure that all South African institutions and individuals conduct themselves responsibly when collecting, processing, storing and sharing another entity's personal information by holding them accountable in the event that such personal information is compromised in any way. Through the POPI Act you are granted certain rights of protection and the ability to exercise control over your personal information. As a custodian of personal information how do you get your organisation POPI-ready? The POPI Act has not come into operation as yet. Once it comes into operation, all organisations will have a period of 12 months to bring their current practices in line with its provisions.

Course outline

Module 1: What is privacy?

- The right to data privacy
- International rights
- Rights in South Africa

Module 2: What is POPI?

- Meaning of POPI
- Objectives and Purpose of POPI

Module 3: Definitions

- POPI concepts and definitions

Module 4 –Application of POPI

- Application of POPI
- Exclusions

Module 5: Principles

- The 8 international protections of Information Principals

Module 6: Lawful Processing

- Lawful processing of personal information under POPI
- s5-rights of data subjects
- s10- minimality.
- s11-consent, justification and objection
- s12-collection directly from data subject
- s13-collection for specific purpose
- s14-retention and restriction of records
- s15-further processing to be compatible with purpose of collection
- s16-quality of information
- s17-documentation
- s18-notification to data subject when collecting personal information
- s19-security measures on integrity and confidentiality of personal information
- s20-information processed by operator or person acting under authority
- s21-security measures regarding information processed by operator

- s22-notification of security compromises
- s23-access to personal information
- s24-correction of personal information
- s25-manner of access
- Accountability
- Processing information & limitations
- Purpose of collected information & applicable principles
- Information quality, notification & security issues
- Access, correction and manner of access to personal information
- How do you lawfully process and collect personal information?
- Supporting documents required to support POPI principles
- Revision of existing documents such as credit applications, vendor documents and other information sheets which need to be reviewed within your organisation
- Developing a processing procedure including the how and the what
- Further processing – the how to as well as the do's and don'ts
- How do you secure personal information and who plays this vital role within the organisation?
- Contracts with third parties and operators
- How can one access their personal information- processes and procedures required?
- The role of PAIA and inclusions under your PAIA Manual

Module 7: Special information

- Lawful processing of special personal information under POPI
- s26-Prohibition on processing of special personal information

- s27-General authorisation concerning special personal information
- 28-Authorisation concerning data subject's religious or philosophical beliefs
- 29-Authorisation concerning data subject's race or ethnic origin
- 30-Authorisation concerning data subject's trade union membership
- 31-Authorisation concerning data subject's political persuasion
- 32-Authorisation concerning data subject's health or sex life
- 33-Authorisation concerning data subject's criminal behaviour or biometric information.
- 34-Prohibition on processing personal information of children
- 35-General authorisation concerning personal information of children
- 36-General
- 37-Regulator may exempt processing of personal information
- Prohibition of process special personal information
- Exemptions concerning religion or philosophical beliefs; race; trade union membership; data subject's political persuasion; data subject's health or sexual life; data subject's criminal behaviour
- General exemption concerning special personal information
- What is special personal information?
- How do you classify it?
- How do you identify special personal information and what can you do with it under the "exception" rules?
- Who needs to be notified when this information is processed and how is this done?

Module 8: Administrative functions

- s38-exemption in respect of certain functions
- s39-establishment of information regulator
- s40-powers, duties and functions of regulator
- s55-duties and responsibilities of information officer
- s56-designation and delegation of deputy information officers
- Authorizations and Justifications
- How would you apply for an exemption?
- Information protection regulator
- Information protection officer
- Powers & duties of Regulator and Information Protection Officer
- Roles and duties
- Appointment of information officer

Module 9: Authorisations to Process

- s57-processing subject to prior authorisation

- s58 -responsible party to notify regulator if processing is subject to prior authorisation
- s59 -failure to notify processing subject to prior authorisation
- Notifications of processing
- Registration process
- Failure to notify
- Investigations
- What can't you process before a notification is sent to the Regulator?
- How do you notify?
- What information must be submitted and when?
- PAIA inclusions

Module 10: Codes of Conduct

- s60 -issuing of codes of conduct
- Issuing codes of conduct
- Proposal for issuing of code of conduct
- Notification, availability and commencement of code
- Amendment and revocation of codes
- Procedure for dealing with complaints
- Guidelines about codes of conduct
- Register of approved codes of conduct
- Review of operation of approved code of conduct
- Effect of failure to comply with code
- Draft code of conduct

Module 11: Use of email and direct marketing

- s69-direct marketing by means of unsolicited electronic communications
- Impact on current direct marketing procedures
- Permissions and opt-outs

Module 12: Directories and Automated Decision Making

- s70-directories
- s71-automated decision making
- What is a directory?
- What is automated decision making?

Module 13: Transfer of Personal Information Cross-Border

- s72-transfers of personal information outside republic
- How do you identify and control this aspect?
- Risks of not complying and managing trans-border flow of information.
- Contracts and processes which should be implemented

Module 14: Non-compliance Consequences

- s73-Interference with protection of personal information of data subject
- s74-s98 Complaints, proceedings and outcome
- s99-Civil remedies
- s100-s106 Obstruction of regulator
- s107- Penalties.
- s114 -Transitional arrangements
- How to comply?
- Consequences of not complying
- When must the company ensure that it is in compliance with the Act?



Registration Form



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COURSE	COURSE DATES	FULL NAME OF DELEGATE(S)
Achieving Workplace Democracy Through Effective Workplace Forums (WPF) R5500.00 per delegate	<input type="checkbox"/> 5-6 September 2016	1.
	<input type="checkbox"/> 20-21 October 2016	2.
	<input type="checkbox"/> 27-28 February 2017	3.
	<input type="checkbox"/> 23-24 March 2017	4.
Effective Workplace Discipline and Grievance Management (EWD) R7200.00 per delegate	<input type="checkbox"/> 7-9 September 2016	1.
	<input type="checkbox"/> 21-23 September 2016	2.
	<input type="checkbox"/> 26-28 October 2016	3.
	<input type="checkbox"/> 23-25 November 2016	4.
Enterprise Risk Management (ERM) R7800.00 per delegate	<input type="checkbox"/> 14-16 September 2016	1.
	<input type="checkbox"/> 16-18 November 2016	2.
	<input type="checkbox"/> 6-8 February 2017	3.
	<input type="checkbox"/> 6-8 March 2017	4.
Negotiation Skills for Management and Union Officials (NS) R4900.00 per delegate	<input type="checkbox"/> 19-20 September 2016	1.
	<input type="checkbox"/> 13-14 October 2016	2.
	<input type="checkbox"/> 5-6 December 2016	3.
	<input type="checkbox"/> 2-3 February 2017	4.
Skills for Equity and Skills Development Committees (E&SDC) R4800.00 per delegate	<input type="checkbox"/> 12-13 September 2016	1.
	<input type="checkbox"/> 6-7 October 2016	2.
	<input type="checkbox"/> 1-2 December 2016	3.
	<input type="checkbox"/> 30-31 January 2017	4.
Strike Management Skills (SMS) R5800.00 per delegate	<input type="checkbox"/> 29-30 September 2016	1.
	<input type="checkbox"/> 3-4 November 2016	2.
	<input type="checkbox"/> 20-21 February 2017	3.
	<input type="checkbox"/> 9-10 March 2017	4.
The Protection of Personal Information (POPI) Act R6600.00 per delegate	<input type="checkbox"/> 30-31 August 2016	1.
	<input type="checkbox"/> 13-14 September 2016	2.
	<input type="checkbox"/> 15-16 September 2016	3.
	<input type="checkbox"/>	4.

In-house training can be arranged at a venue preferred by client and at a reasonable fee.

KINDLY COMPLETE THE FOLLOWING SO THAT RW ATTORNEYS WILL BE ABLE TO ISSUE THE RELEVANT INVOICE:

Organisation:

Company reg no: VAT no: Relevant order no:

Tel: Fax: Email:

Postal address: code:

Contact person name and surname:

Email address of delegate(s):

Name and surname of person responsible for payment:

Email and contact number of person responsible for payment:

Terms and conditions: Full course fees are payable in advance. EBC reserves the right to cancel or reschedule the course due to insufficient learner registrations. All cancellations must reach EBC in writing, not later than ten working days prior to the commencement date of the course.

Date Name and Surname Signature

Visit www.rwafrica.com for more information Tel: +27 12 452 4000 | Fax: +27 86 545 0264 | Email: info@rwafrica.com



Alison Lee

Alison is an admitted attorney and a member of the South African Law Society. Her successful legal compliance consultancy company, Lee's Legal Compliance Services (Pty) Limited –(Lee's Compliance) provides advice and opinion on regulatory and compliance related issues. She also trains lawyers and business people on the laws which apply to their operations, has developed and offers a one stop compliance solution. Lee's Compliance provides dedicated legal compliance on line portal which houses a wide range of compliance related material and information which is customized to suit a client's particular purpose.

In addition, Alison holds the position of Chief Executive Officer of the Corporate Lawyers of South Africa (CLASA) which association represents the in house and corporate counsel profession in South Africa – an appointment that was effective 1 October 2004.

Prior to re-entering the practicing legal profession, Alison worked as a legal advisor. She held the position as Legal Manager at BAT SA between the periods 1991- 1996 and thereafter headed up the Legal Department at SAB Limited until August 2004.

Alison, although having completed her studies at the University of Natal (PMB); and articles at ER Browne Inc in Pietermaritzburg, is a born and bred Gauteng who loves living in the City that never stops.

Having worked in a commercial environment, Alison's expertise is broad and wide and covers a variety of legal topics including commercial and corporate law, in particular the law of contract, IP and advertising law, IT and electronic communication laws, franchising, risk management, corporate governance and in particular – legal compliance. In addition, Alison sat on the King III subcommittee, which was responsible for the drafting of Chapter 6 (Compliance with laws).



Faathima Asmall

Faathima is a Director and heads the Employment and Employee Benefits Practice at RW Attorneys. She specialises in Employment Law, Employee Benefit Law, Regulatory Law and Litigation.

Faathima has extensive experience in all aspects of Employment Law, across the private and public sectors, appearing in all the labour forums, including the CCMA, various Bargaining Councils, the Labour Court, the Labour Appeal Court and the High Court, Faathima also presents training on various relevant aspects of Employment Law.

Faathima is a member of SASLAW and the Law Society of Northern Provinces. She also provides regular advice at the Labour Law Clinic of the Pro-Bono Organisation.

Faathima's focus areas involve advising Executive and Non-Executive Management within Boards, Statutory Councils and Statutory bodies on all aspects of Administrative Law, Public Finance Management Act, Supply Chain Management processes, Regulatory and Interpretation, Procurement and Labour related issues. She is part of the in-house appearance team of the

firm and appears in the High Courts and Labour Court. Faathima is also the Employment Equity Officer of the firm.



Siyabonga (Siya) Tembe

Siyabonga Tembe is an Associate in the Employment and Employee Benefits Practise at RW Attorneys. Siya is an LL.M: Mercantile Law graduate of the University of Pretoria, majoring in Economics and Business Management. Having completed his candidacy at RW Attorneys, Siya has already successfully completed his Board exams. He is an admitted attorney of the High Court. His experience includes corporate civil litigation; Labour Law, pension Fund and banking law through work within the financial regulatory environment.

In addition, Siya has been extensively exposed to Property Law and Conveyancing; personal injury claims, contract drafting, Insolvency Law, corporate governance in Government Departments in addressing how the Companies Act, Public Finance Management Act and the National Library of South Africa Act all affects the various institution and relate to one another."



Maphutha Diaz

Maphutha is a founder member and Managing Director of Bathokwa People Solutions (Pty) Ltd, a 100% black-owned training and consulting company which provides services in employee relations; human resources and general management. Bathokwa is also an accredited service provider of the SABPP. In addition, Maphutha is a Director of Employment & Business Consulting (Pty) Ltd.

Maphutha's focus areas have for more than fifteen years been in the development, realignment and implementation of human resources and general business management processes, systems and policies. His exposure has been in a variety of industries, including the education academic environment; state-owned enterprises; mining; fast-moving consumer goods (FMCG); telecommunications; manufacturing and hi-tech environments. He is currently presenting mostly employee relations and labour law courses for clients in the mining and construction; financial services; and tertiary industries in

various subjects such as management of discipline; employment equity/diversity; management development; and various public and company-scheduled HR and general management "boot-camps".

A highly experienced executive and qualified Lead Auditor (SABPP) Maphutha is a UJ Masters graduate in commerce and a current PhD student in collective bargaining and freedom of association.