



INFORMATION REGULATOR (SOUTH AFRICA)

*Ensuring protection of your personal information
and effective access to information*

MEDIA STATEMENT

INFORMATION REGULATOR WARNS AGAINST THE PROCESSING OF PERSONAL INFORMATION OF DATA SUBJECTS WITHOUT THEIR CONSENT

13 JULY 2021

The Information Regulator notes with concern the photographs of former President Jacob Zuma distributed through social media taken at a facility of the Department of Correctional Services (DCS). As such the Regulator has since sent a letter to the DCS requesting for the departmental measures that are in place to safeguard and prevent loss and unlawful access of personal information, such as photographs of new inmates. The Regulator has also requested the current status on this matter and the steps that the DCS have taken to mitigate any alleged breach.

The Regulator reminds the public that photographs clearly identifying an individual are regarded as personal information in terms of the Protection of Personal Information Act, and that distribution of such material is regarded as processing of personal information in terms of the Act. The Act prohibits the distribution of personal information without the consent of the individual that is being identified in the item being distributed.

We urge the public to be informed about the rights of individuals in so far as the law is concerned and not engage in action that violates another person's rights or the provisions of the Act through distribution of personal information without consent of the data subject.

The Regulator expects that the necessary corrective action will be taken by the Department of Correctional Services to ensure that those found to be in breach of the law are held accountable and that similar breaches of the law are not repeated.

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