

## DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 3867

8 September 2023



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25 August 2023

**NOTICE IN TERMS OF SECTION 61(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT NO 4 OF 2013 (POPIA) CODE OF CONDUCT: THE RESIDENTIAL COMMUNITIES COUNCIL (RCC).**

1. In terms of the provisions of section 61(2) of POPIA, the Information Regulator (Regulator) gives notice that the Regulator is in receipt of a proposed code of conduct from the Residential Communities Council (RCC) that deals with how personal information will be processed in the Residential Community Industry (RCI).
2. The purpose of the code of conduct is to-
  - 2.1. promote appropriate practices by members of RCC governing the processing of personal information in terms of POPIA;
  - 2.2. encourage the establishment of appropriate agreements between members of RCC and third parties, regulating the processing of personal information as required by POPIA and dictated by good business practice; and
  - 2.3. to establish procedures for members of RCC to be guided in their interpretation of POPIA, but also other laws or practices governing the processing of personal information, allowing for complaints against RCC to be considered and remedial action, where appropriate, to be taken.
3. The code of conduct governs-
  - 3.1. the processing of personal information (including personal information of data subjects) by institutions that are members of RCC.

Adv. FDP Tlakula (Chairperson), Adv. LC Stroom Nzama (Full-time Member), Adv. JC Weapond (Full-time Member), Ms AR Tilley (Part-time Member), Mr MV Gwala (Part-time Member)

- 3.2. where appropriate, agreements that may need to be concluded between members of RCC and third parties promoting, and to the extent possible ensuring that personal information is processed in compliance with POPIA; and
  - 3.3. the enforcement by RCC of the provisions of the code of conduct.
4. A notice will be published in the Government Gazette in compliance with section 61(2) of POPIA. Affected persons are invited to submit written comments to the Regulator email address: [POPIACompliance@inforegulator.org.za](mailto:POPIACompliance@inforegulator.org.za). within fourteen (14) days after publication of the notice in the Government Gazette. A copy of the code of conduct will be made available on the Regulator's website, alternatively, a request for a copy of the code may be made by addressing correspondence to email address: [POPIACompliance@inforegulator.org.za](mailto:POPIACompliance@inforegulator.org.za)