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# APPOINTING AN INFORMATION PROTECTION OFFICER

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The Protection of Personal Information Act (“POPI Act”) requires the appointment or designation of an Information Officer (referred to as the Information Protection Officer (IPO) in this document) to oversee compliance with this legislation. As a result companies must understand the role of the IPO and decide which Business Area or Function is best placed to house the IPO function.

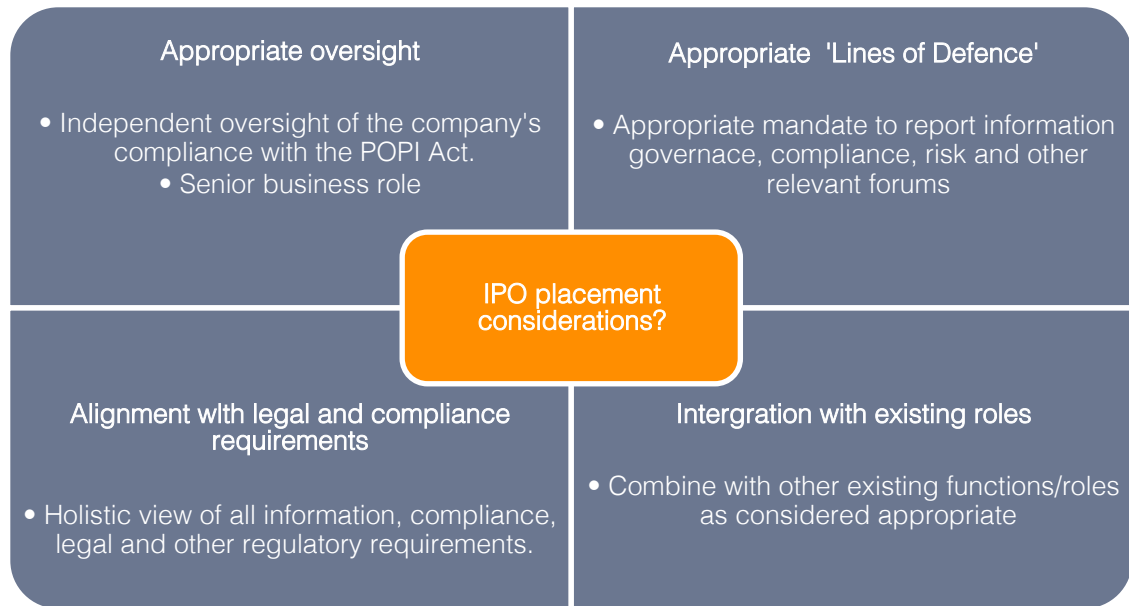
Based on the duties and responsibilities as set out in chapter 5, part 2 of the POPI Act, the list below defines a number of the responsibilities of the IPO (not an exhaustive list). A company’s Board or the Information Protection Regulator (IPR) may propose additional requirements.

## Duties of the IPO

- Register the company and its information processing practices with the IPR.
- Create, maintain and enforce a company-wide information protection framework that aligns with the:
  - Governance framework (including information ownership and lifecycle management)
  - Risk management strategy (including identification and management of relevant information risks)
  - Compliance strategy (including third party contract management)
  - Information security strategy
- Delegate responsibility to individuals in the company to act as information protection coordinators or “deputy information officers” as per the Act.
- Maintain, communicate and enforce:
  - Internal privacy policies and processes as part of the information protection framework.
  - External privacy notices to consumers and other stakeholders that define the company’s information processing practices.
- Respond to personal information access requests from data subjects (including clients, employees and other stakeholders).
- Manage requests for personal information or notices from the IPR and other applicable regulatory bodies.
- Manage the development and delivery of information protection training for all levels of employees within the company.
- Provide strategic guidance to the Executive Committee and Board to ensure compliance with information protection requirements.
- Remain informed of local and international leading practice guidelines regarding information protection.

## WHERE SHOULD THE IPO BE PLACED IN A COMPANY?

As a result of the impact that the requirements of POPI will have on all areas of a company, the diagram below outlines key areas that should be taken into account to determine where the IPO role may be best suited in a company.



It is recommended that the IPO role be placed within a function that has oversight of various information governance requirements, including compliance. This will allow for the implementation of compliance remediation activities, monitoring, enforcement efforts, guidance and overall governance to be performed with the necessary technical skill and authority.

## WHAT SHOULD YOUR COMPANY DO NEXT AND HOW CAN MOBIUS ASSIST?

As part of a company's strategy to align its information processing practices with the requirements of POPI, specific consideration must be given to the appointment or designation of an IPO to oversee compliance with the legislation.

Every organisation is different and therefore the role, mandate and appropriate placement of the IPO should be carefully considered. Mobius Consulting can assist you in defining, enforcing and implementing such a role to ensure that it is successfully integrated within your organisation whilst fulfilling the requirements of the POPI Act.