

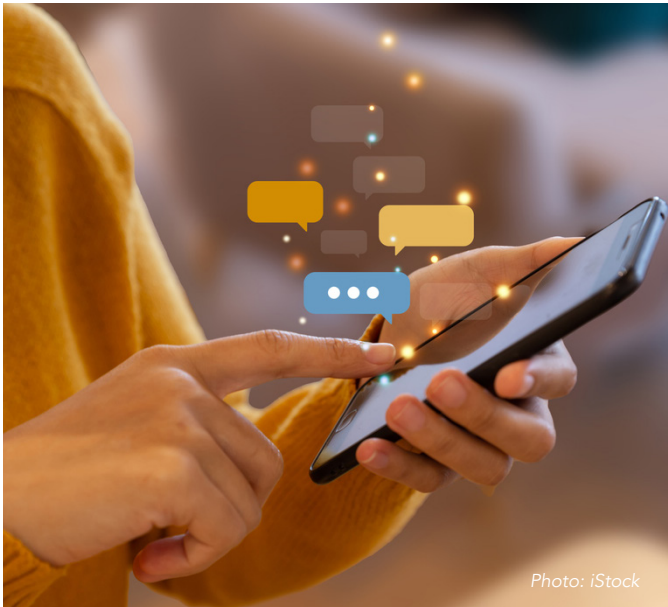
## DATA PRIVACY ROUNDUP FOR 2024 Q4

### 1. OVERVIEW

In this issue of our data privacy roundup, we discuss what is happening in South Africa, and some data breaches that happened abroad, to bring you the latest data privacy and protection news.



## 2. WHAT HAS BEEN HAPPENING AT HOME



### 2.1. LinkedIn

The South African Artificial Intelligence Association (SAAIA) accused LinkedIn of violating local privacy laws. The organisation claimed that LinkedIn uses user data to train its AI models without obtaining explicit consent, which goes against the Protection of Personal Information Act 4 of 2013 (POPIA).

LinkedIn defended its practices, stating that users can opt out of AI training. However, some argue that LinkedIn's failure to obtain consent for such uses raises serious questions about compliance.

SAAIA's head of regulatory affairs, Nathan-Ross Adams, has called for an investigation from the Information Regulator, emphasising the public's interest in protecting personal data. While LinkedIn maintains that users can opt out of AI training, the question remains: Did they obtain the necessary consent to process this data? The Information Regulator has confirmed receipt of the complaint but has not disclosed any potential course of action. Read more [here](#).

### 2.2. ASSAf's POPIA compliance framework

The Academy of Science of South Africa (ASSA) took proactive steps to address compliance with POPIA through its [Stakeholder Consultation Forum](#), which took place on 11 November 2024. The forum focused on progress with the POPIA compliance framework specifically tailored for researchers and research institutions. This was initiated to enhance understanding and implementation of data protection measures, ensuring that organisations align with national privacy standards.

## 3. WHAT HAS BEEN HAPPENING ABROAD



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### 3.1. UK's Data (Use and Access) Bill

The UK government has introduced the [Data \(Use and Access\) Bill](#), which aims to modernise data use to enhance the economy. This proposal seeks to improve data practices in law enforcement and healthcare while ensuring economic benefits from data usage. Despite criticisms of previous reform efforts, this new Bill maintains key provisions of the existing UK General Data Protection Regulation (GDPR) framework. It aims to redefine 'personal data' and streamline regulatory oversight by replacing the Information Commissioner's Office with a new body, the Information Commission, which will likely improve regulatory efficiency.

The proposed changes include shorter investigation periods for issuing fines for violations, and extending privacy restrictions on various data tracking methods, ensuring that personal information remains protected.

### 3.2. Telegram

Telegram is under scrutiny in India following a data leak involving customer information from Star Health, a major health insurer. On 25 October 2024, the Madras High Court directed Telegram to immediately block and delete any posts or chatbots flagged by Star Health Insurance for recently leaking customer information. Telegram told the Madras High Court that it cannot monitor all accounts but will act against problematic content when flagged.

Star Health is dealing with the fallout from a ransom demand for \$68 000 related to the leak, which included sensitive data like biometric IDs and medical claims. This situation raises significant concerns about the platform's ability to manage data privacy effectively, especially as it faces growing criticism regarding its use for illegal activities. Read more [here](#).

## 4. WHAT'S NEXT?

Our roundups will keep giving you data privacy updates from South Africa and abroad. If you are interested in reading more about the topics covered in this article, refer to these chapters in the Understand the Law tab:

- [Chapter 5](#) (Information Security Management).
- [Chapter 7](#) for more information about special personal information including health and biometric information.



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