

## DATA PRIVACY ROUNDUP FOR Q1/Q2 2023

### 1. OVERVIEW

This is another roundup of the interesting articles, events and guidance released by data protection regulators worldwide, which we have found interesting, informative and valuable from the first and second quarters of 2023.



CYBER SECURITY

Photo: Darwin Laganzon from Pixabay

## 2. WHAT HAS BEEN HAPPENING AT HOME ...



### 2.1. THE JUDICIARY NEEDS POPIA TRAINING

As POPIA and information security compliance issues become further entrenched in our law, [the Information Regulator has stated](#) that it thinks the South African judiciary requires further training on the ins and outs of POPIA. This is extremely important for POPIA's enforcement and fulfilment of all South Africans' right to privacy.

For more on POPIA's enforcement (within public and private bodies) you can refer to [Chapter 19](#).

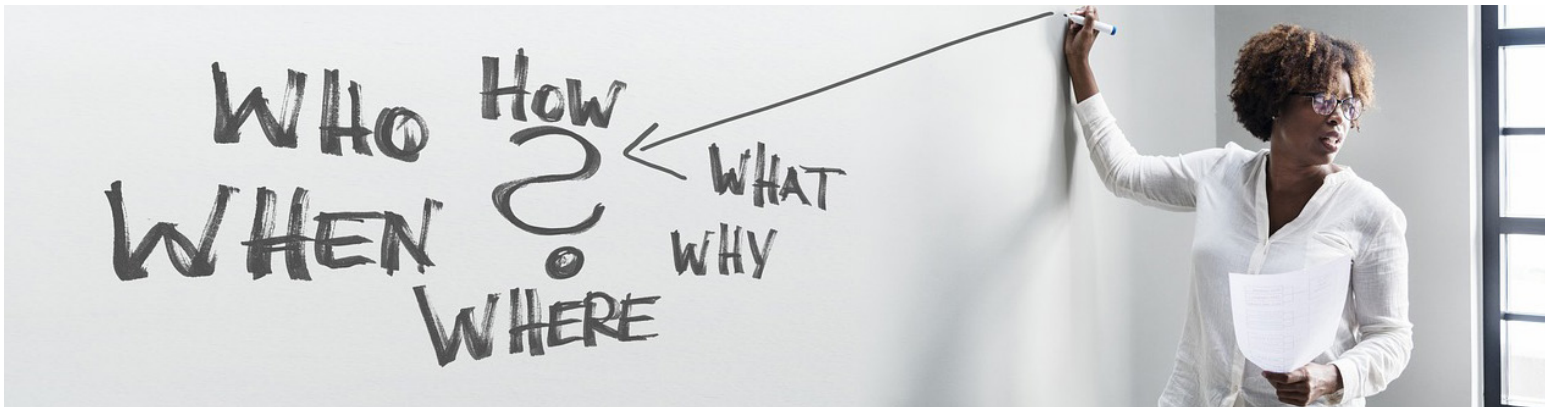


Photo:Gerd Altmann from Pixaba

## 2.2. INSTITUTIONAL INDEPENDENCE OF THE INFORMATION REGULATOR

The institutional independence of the Information Regulator is of vital importance regarding POPIA's enforcement, especially given that public bodies are required to comply with POPIA. The issue of the Information Regulator's independence also impacts its funding and general day-to-day running and systems management. Currently, the Regulator relies on the policies and procedures of the Department of Justice and Constitutional Development to run its administration. The Information Regulator stated in February 2023 that they had agreed with Parliament's portfolio committee to submit a report to National Treasury about why the Information Regulator must be a separate entity from the Department of Justice and Constitutional Development.

You can read the press release [here](#).

For more on the issue of the Information Regulator's institutional independence please refer to [section 19.2 of Chapter 19](#).

## 2.3. DATA BREACHES HAPPENING LEFT, RIGHT AND CENTRE

The Information Regulator has stated that it is inundated with reports of data breaches occurring in organisations across South Africa. The Information Regulator estimates that around 50 data breaches are reported to it each month.

For more on data breaches please refer to [Chapter 5](#).

## 2.4. PAIA AND LICENSING IN THE MUSIC INDUSTRY

In December 2022, it was reported that the Information Regulator had found in favour of a complainant whose PAIA request had been denied by RISA Audio Visual (the licensing body set up by the Recording Industry of South Africa to grant licences to users of music videos and sound recordings). The PAIA application related to unpaid royalties to the complainant. You can read the article [here](#).

You can read more about PAIA requests in [Chapter 18](#) and submitting a complaint in terms of PAIA to the Information Regulator in [Chapter 19](#).



Photo: Van3ssa Zheki Dazzy from Pixabay



# Brexit

Photo: Stefan Schwehofer from Pixabay

## 3. WHAT HAS BEEN HAPPENING ABROAD ...

### 3.1. META STILL BEING PUT THROUGH THE DATA PRIVACY WRINGER

Meta is still facing issues from data regulators around its processing of personal information, and is having to make some changes to how it justifies processing personal information in relation to targeted advertising. These issues and changes include:

- [Justifying processing data subjects' personal information in relation to targeted advertising in terms of 'legitimate interest'](#).
- [Facing new complaints of political microtargeting on their Facebook platform.](#)

You can read more about targeted advertising and tracking data subjects on the internet in Novation's white paper on these topics, '[Lifting the lid on POPIA: Answering your Adtech and Martech questions](#)'.

### 3.2. UK WATERING DOWN GDPR OBLIGATIONS IN POST-BREXIT REFORM

It has also been reported that the UK government is looking to water down GDPR obligations for organisations, as they amend their local version of the GDPR. This is largely to address the high costs of data privacy compliance which many organisations are facing. You can read more about this [here](#).