

# KNOW YOUR RIGHTS AS A DATA SUBJECT

## 1. OVERVIEW

We are very lucky in South Africa to have so many rights and freedoms. Our right to privacy is enshrined in the Constitution, and POPIA gives effect to that right. It gives you control over your data. But what exactly are your rights as a data subject?

Let's dive into the key rights that POPIA grants you to keep your personal information safe and secure.



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## 2. RIGHT TO BE INFORMED



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You have the right to know when, why, and how your data is being collected and used. Organisations must inform you about the type of data they're gathering, why they need it, and who will have access to it. This information must be clear, straightforward, and easy to understand, which will help you make informed decisions about sharing your personal information.

## 3. RIGHT OF ACCESS

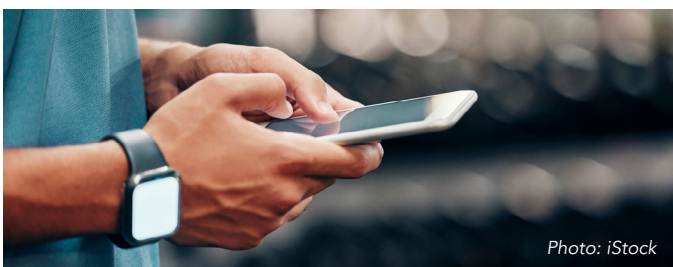


Photo: iStock

You have the right to access your personal information held by any organisation. This means you can request a record of this information and see what data they have on you. This right also enables you to verify that your details are accurate and up to date, helping you to prevent any misuse or use of incorrect information.

## 4. RIGHT TO CORRECT OR DELETE



If you find any errors or outdated information in your personal data, you can correct or delete it. You can request that any organisation holding your information update it to ensure that it is accurate. If the information is inaccurate, excessive, out of date, or obtained unlawfully, you can also ask that they delete it. A data subject must complete this request on [Form 2](#).

## 5. RIGHT TO WITHDRAW CONSENT



If you have given your consent to a responsible party to allow them to process your personal information, you can withdraw that consent.

## 6. RIGHT TO OBJECT TO PROCESSING



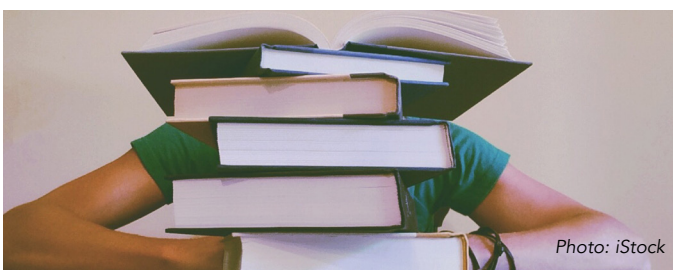
Not all processing of your personal information will necessarily be acceptable to you. You have the right to [object](#) to the use of your data in certain circumstances, especially for direct marketing. If you exercise this right, organisations must respect your wishes. However, there are exceptions to this right, where legal obligations may require data processing.

## 7. RIGHT TO RESTRICT PROCESSING



If you feel that your data is being mishandled or is inaccurate, you can ask for processing to be restricted. This means that the organisation must stop using your data while they verify its accuracy or investigate any concerns. This right can be particularly helpful if you're in a situation where your personal information could be used in a way that harms your interests.

## 8. RIGHT TO DATA PORTABILITY



You may need to transfer your personal information from one service provider to another. POPIA grants you the right to data portability, so you can request your personal information in a format that allows it to be easily shared with another organisation. This right aims to give you more control and flexibility with your data.

## 9. RIGHT TO LODGE A COMPLAINT



If you feel that an organisation has mishandled your data or violated your rights, POPIA empowers you to take action. You can lodge a [complaint](#) with the Information Regulator, who oversees data protection in South Africa. The Regulator will investigate your complaint and work to resolve the issue, offering you an essential layer of protection.

## 10. TAKE CONTROL OF YOUR DATA



POPIA is designed to give you (as a data subject) a voice and to ensure your personal information is treated with respect. By understanding your rights, you can take control of your data, make informed decisions, and hold organisations accountable for how they use your personal information. Stay vigilant and remember: your data is your asset – protect it.

## 11. FURTHER READING

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Read [Chapter 18](#) (Data subject rights).

[Form 1](#) – Objection to the processing of personal information.

[Form 2](#) – Request for correction or deletion of personal information.

[Form 5](#) – Complaint form.