



**INFORMATION
REGULATOR
(SOUTH AFRICA)**

*Ensuring protection of your personal information
and effective access to information*

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PRESS STATEMENT

COVID 19: The importance of the right of access to information and the right to privacy in the management and containment of the virus.

The right of access to information and the right to privacy are central to the management and containment of the spread of COVID 19. Commending the government for the measures that it has taken so far to deal with the virus, Pansy Tlakula, the Chairperson of the Information Regulator (Regulator) said “the Regulator calls on the government to intensify and streamline the proactive disclosure of all information relating to the virus. The information should be detailed and should include information such as the meaning of self-quarantine, what should happen to family members of a self-quarantined person who live in the same house with him or her, what happens to the virus after the quarantine period, is there treatment or medication for the virus? etc.

State agencies such as airlines and the airports company should also proactively disclose information such as the cancellation of flights. Such information should be updated regularly. The Regulator reiterates the importance of communicating in languages which are understood and accessible to all South Africans, including people with various forms of disabilities.

The Regulator also welcomes the decision of the government to centralise communication on the virus and requests government to ensure consistent messaging by representatives of government at National, Provincial and Local levels to avoid confusing the public.

“Whilst we recognise the important role played by social media in the dissemination of information relating to COVID 19 in real time, we advise the government to engage social media companies and request them to subject all information relating to the virus on their platforms to third party fact checking programme and remove fake news and disinformation from in their platforms.” Tlakula said

The Regulator also implorers health and testing centres to ensure that the personal information of everyone who has been tested and/ or treated is protected. Furthermore, although the Protection of Personal Information Act (POPIA) allows the processing of information for statistical or research purposes, health and testing centres must ensure that all the other provisions of POPIA are strictly adhered to when they test or treat patients. For instance, they must ensure that adequate safeguards are taken to ensure that the personal information is secured and is not used for any other purpose.

COVID 19 has increased the use of digital technologies such as on line shopping, banking and even telemedicine in order to minimise social contact. Considering the prevalence of data breaches and cyber crime in our country and globally, the Regulator calls on both public and private bodies to increase their security measures around their digital and physical operating systems so as to protect the personal information of everyone against unlawful or unauthorised access. The Regulator supports the call by the South African Banking Association (SABRIC) to users of on line services to be careful before they click on risky website links which may lure them into disclosing their personal information which might end up with cyber criminals.

Issued by the Information Regulator. For more information, please contact Mr. Marks Thibela at 082 746 4173 or Adv. Pansy Tlakula at 083 656 5031