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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT****NOTICE 709 OF 2017****INFORMATION REGULATOR****PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)****INVITATION TO COMMENT ON DRAFT REGULATIONS RELATING TO THE  
PROTECTION OF PERSONAL INFORMATION****DEADLINE FOR COMMENT IS 07 NOVEMBER 2017**

1. The Information Regulator, in terms of section 112(2) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (“the Act”), prepared draft Regulations for the effective implementation of the Act.
2. In terms of section 113(3) of the Act, the Information Regulator, before making any regulations referred to in section 112(2) of the Act, must publish a notice in the *Gazette*—
  - (a) setting out that draft regulations have been developed;
  - (b) specify where a copy of the draft regulations may be obtained; and
  - (c) inviting written comments to be submitted on the proposed regulations within a specified period.
3. The draft Regulations are available on the following website:  
<http://www.justice.gov.za/inforeg/index.html>
4. Section 32(6), read with section 32(1)(b) and (f), of the Act provides that more detailed rules may be prescribed concerning the processing of personal information concerning a data subject's health by—

- 32 (1) (b) insurance companies, medical schemes, medical scheme administrators and managed healthcare organisations, if such processing is necessary for—
- (i) assessing the risk to be insured by the insurance company or covered by the medical scheme and the data subject has not objected to the processing;
  - (ii) the performance of an insurance or medical scheme agreement; or
  - (iii) the enforcement of any contractual rights and obligations; and
- 32 (2) (f) administrative bodies, pension funds, employers or institutions working for them, if such processing is necessary for—
- (i) the implementation of the provisions of laws, pension regulations or collective agreements which create rights dependent on the health or sex life of the data subject; or
  - (ii) the reintegration of or support for workers or persons entitled to benefit in connection with sickness or work incapacity.

The Information Regulator invites interested parties to provide comments and inputs in this regard.

5. Any person wishing to comment on the draft Regulations is invited to submit written comments to the Information Regulator on or before **07 November 2017**. Comments should be marked for the attention of Ms M Mphelo, and -

(a) if they are delivered by e-mail, they can be sent to - [infolegcomments@justice.gov.za](mailto:infolegcomments@justice.gov.za); or

(b) if they are forwarded by post, be addressed to -

**The Information Regulator**

**Private Bag X81**

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(c) if delivered by hand be delivered at -

**The Information Regulator**

**SALU Building**

**316 Thabo Sehume Street (corner of Thabo Sehume and Francis Baard Streets)**

**PRETORIA**

(d) if it is faxed, they can be faxed to **086 500 3351**.

6. Further information may be obtained from Ms M Mphelo who may be contacted at **012 406 4818**.
7. Any person or entity who wants to meet with the Information Regulator to discuss any aspect of the draft Regulations must make the necessary arrangements with the Information Regulator.