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POPIA/PAIA
— COMPLIANCE UPDATE —

INFORMATION REGULATOR ISSUES MULTI-MILLION RAND FINES

Dear Customer,

Subject: Urgent: Information Regulator Issues Multi-Million Rand POPIA/PAIA Fines

The Information Regulator has significantly intensified its enforcement of the Protection of Personal Information Act (POPIA), issuing substantial administrative fines against both public and private sector organisations. These cases highlight the serious financial and reputational consequences of failing to comply with POPIA requirements and ignoring enforcement notices.



SIGNIFICANT ADMINISTRATIVE FINES ISSUED BY THE INFORMATION REGULATOR

ENTITY	FINE	REASON
Department of Justice and Con	R5 million	South Africa's first POPIA administrative fine. The penalty followed a ransomware attack that exposed personal information, with the Regulator citing inadequate security safeguards and failure to comply with an enforcement notice.
Department of Basic Education (DBE)	R5 million	Fined for failing to comply with an enforcement notice directing the department to stop publishing matric results in newspapers and implement a POPIA-compliant alternative.
First Nat Bank	R1 million	The Regulator found POPIA contraventions after a mobile application flaw exposed the personal information of home-loan applicants, raising concerns regarding security safeguards and incident management.
Blouberg Local Municipality	R250,000	Enforcement action resulted in the Information Regulator pursuing court proceedings to recover the administrative penalty.
FT Rams Consulting	R100,000	Penalised for repeated direct marketing communications without consent, ignoring opt-out requests, and failing to comply with an enforcement notice.
Independent Electoral Commission (IEC)	R100,000	Administrative fine imposed following POPIA-related enforcement action.

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Lancet Laboratories	**R100,000**	Fine linked to a data breach matter and subsequent POPIA enforcement action.

CURRENT:

First National Bank (FNB) — R1,000,000 Administrative Fine:
Penalised following findings of unlawful processing and non-compliance with **fundamental POPIA** conditions, specifically Accountability (Section 8) and failure to implement appropriate technical and organisational security measures (Security Safeguards, Section 19).

Central Johannesburg TVET College (CJC) — R500,000 Administrative Fine:
Penalised following non-compliance with an Enforcement Notice previously issued by the Regulator regarding student data security failures and lack of remedial action.

THE KEY MESSAGE FROM THE INFORMATION REGULATOR

A clear trend has emerged from these enforcement actions:

- Non-compliance with POPIA is no longer treated as a warning-only matter.
- Failure to comply with an enforcement notice can result in substantial financial penalties.
- Data breaches, inadequate security measures, unlawful processing of personal information, and ignoring corrective directives significantly increase regulatory risk.
- The Information Regulator is actively enforcing compliance across both public and private sector organisations.

Several organisations, including Dis-Chem, SAPS, and Trans Union, received enforcement notices but avoided administrative fines after complying with the Regulator's directives.

WHY IMMEDIATE COMPLIANCE MATTERS

The recent R5 million fines demonstrate that the Information Regulator is prepared to impose severe penalties where organisations fail to take corrective action. Businesses that delay compliance with POPIA and PAIA requirements expose themselves to:

- **Administrative fines of up to R10 million and or incarceration;**
- **Potential civil claims;**
- **Reputational damage;**
- **Regulatory investigations and enforcement action.**

HOW ALTITUDE EMPLOYMENT SOLUTIONS CAN ASSIST

If your organisation has not yet fully implemented POPIA and PAIA compliance measures, Altitude Employment Solutions can assist with:

- POPIA compliance audits;
- Information Officer support and training;
- Policy development and implementation;
- Risk assessments;
- PAIA Manual preparation and updates;
- Ongoing compliance and governance support.

The cost of compliance is significantly lower than the cost of a regulatory fine. Now is the time to ensure your organisation is fully compliant.

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