

PRESENTATION OF THE ANNUAL PERFORMANCE PLAN TO THE PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES

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CHAIRPERSON OF THE
INFORMATION REGULATOR
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**INFORMATION
REGULATOR
(SOUTH AFRICA)**

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

DELEGATION FROM THE INFORMATION REGULATOR (REGULATOR)

1. Adv. Pansy Tlakula – Chairperson
2. Adv. Collen Weapond – full-time Member: (Protection of Personal Information Act 4 of 2013 (POPIA))
3. Adv. Lebogang Stroom-Nzama – full-time Member: Promotion of Access to Information Act 2 of 2000 (PAIA)
4. Mr Sizwe Snail ka Mtuze – part-time Member
5. Mr Marks Thibela – Chief Executive Officer (CEO)
6. Mr Prakash Narismulu – Chief Financial Officer (CFO)

OUTLINE OF THE PRESENTATION

- INTRODUCTION
- MANDATE OF THE REGULATOR
- SECTIONS OF POPIA THAT ARE CURRENTLY IN OPERATION
- STRATEGIC OVERVIEW
- ANNUAL PERFORMANCE TARGETS
- ALLOCATED BUDGET

INTRODUCTION

- The Regulator is established in terms of section 39 of POPIA as a juristic person which:.....
 - (a) *“has jurisdiction throughout the Republic;*
 - (b) *is independent and is subject only to the Constitution and the law and must be impartial and perform its functions and exercise its powers without fear, favour or prejudice;*
 - (c) *must exercise its powers and perform its functions in accordance with this Act [POPIA] and PAIA; and*
 - (d) *is accountable to the National Assembly”.*

INTRODUCTION cont..

- The Regulator consists of the Chairperson and four (4) ordinary members.
- The Members are appointed for a period of five (5) years by the President on the recommendation of the National Assembly.
- The Chairperson and the two (2) ordinary members are appointed on a full-time basis.
- The Regulator is empowered in terms of section 47 to establish its own administration in consultation with the Minister of Finance.
- Funds of the Regulator consist of : (a) sums of money appropriated by Parliament annually.....; and (b) Fees as prescribed in terms of section 111(1) of POPIA.
- The Head Office of the Regulator is at 33 Hoofd Street, Forum III, Braampark, Braamfontein in Johannesburg

MANDATE OF THE REGULATOR

- The Regulator derives its Constitutional mandate from sections 14 (The right to privacy) and 32 (The right of access to information) of the Constitution.
- Section 40 of the POPIA makes provision for the powers, duties and functions of the Regulator.
- The only sections in operation are 1, 39-54, 112 and 113 of POPIA.
- The PAIA function still remains with the South African Human Rights Commission (SAHRC) and will be transferred to the Regulator in terms of section 114 (4) of POPIA.

Strategic Overview

Vision

A world class institution in the protection of personal information and the promotion of access to information.

Mission

An independent institution which regulates the processing of personal information and the promotion of access to information in accordance with the Constitution and the law so as to protect the rights of everyone.

Values

Transparency; Accountability; Integrity; Excellence; Impartiality; and Responsiveness.

STRATEGIC GOALS AND OBJECTIVES

STRATEGIC OUTCOME ORIENTED GOAL	STRATEGIC OBJECTIVE	
1. Persons that are aware and understand their rights with regards to the protection of personal information.	SO 1.1	Develop and implement education, awareness and stakeholder management programmes aimed at promoting the protection of personal information.
2. A conducive Legal, Policy, Research and Information Technology Analysis environment that promotes the protection of personal information.	SO 2.1	Develop and approve research strategy and plan aimed at ensuring the protection of personal information.
	SO 2.2	Monitor and enforce compliance by public and private bodies to ensure that existing legislation promotes the protection of personal information.
3. A compliant environment that fosters the protection of personal information and promotion of access to information.	SO 3.1	Develop guidelines for Codes of Conduct and a Manual for POPIA
	SO 3.2	Develop process for handover of PAIA functions from the South African Human Rights Commission (SAHRC).
4. Protection of personal information through resolving of complaints.	SO 4.1	Handling of complaints related to the alleged violations of the protection of personal information.
5. Optimally functional independent Information Regulator.	SO 5.1	Fully established administration to enable delivery on the mandate.

PROGRESS OF THE REGULATOR TO DATE

- The Regulator has tabled Regulations before Parliament and published same in the Government Gazette.
- Secured office accommodation for a period of three (3) years.
- Advertised six (6) of the seven (7) executive positions, namely: Chief Executive Officer (CEO); Chief Financial Officer (CFO); Executive Officer: Legal, Policy, Research and Technology Analyst; Executive Officer: POPIA; Executive Officer: PAIA; and Executive Officer: Corporate Services.
- The CEO and CFO assumed duties on 01 June and 01 July 2019 respectively.
- The Executive Officer: Legal, Policy, Research and Technology Analyst will assume duty on 05 August 2019.
- The filling of the other Executive positions is in progress.
- The Draft Organisational Structure has been developed and will be submitted to the Minister of Finance for consultation.

ANNUAL PERFORMANCE PLAN (APP) FOR 2019/20 FINANCIAL YEAR

APP AND QUARTERLY TARGETS

Strategic Goal 1: Persons that are aware and understand their rights with regards to the protection of personal information.

STRATEGIC OBJECTIVE	PERFORMANCE INDICATOR	ANNUAL TARGET 2019/20	Quarterly Targets			
			1 st	2 nd	3 rd	4 th
1.1. Develop and implement education, awareness and stakeholder management programmes aimed at promoting the protection of personal information.	Approved and implemented Public Awareness Strategy and Plan for POPIA	Approved and implemented Public Awareness Strategy and Plan	Public Awareness Strategy and Plan approved	Public Awareness Strategy and Plan implemented	Public Awareness Strategy and Plan implemented	Public Awareness Strategy and Plan implemented
	Approved Communications and Branding Strategy	Approved Communications and Branding Strategy	Bid specification for the appointment of the service provider to develop the Communication and Branding Strategy approved	Bid for the appointment of the service provider advertised	Preferred service provider appointed	Communication and Branding Strategy developed
	Approved Stakeholder Engagement Strategy and Plan	Approved Stakeholder Engagement Strategy and Plan	Stakeholder Engagement Strategy and Plan developed	Stakeholder Engagement Strategy and Plan approved	Stakeholder Engagement Strategy and Plan implemented	Stakeholder Engagement Strategy and Plan implemented

APP AND QUARTERLY TARGETS

• **Strategic Goal 2: A conducive Legal, Policy, Research and Information Technology Analysis environment that promotes the protection of personal information.**

STRATEGIC OBJECTIVE	PERFORMANCE INDICATOR	ANNUAL TARGET 2019/20	Quarterly Targets			
			1 st	2 nd	3 rd	4 th
2.1. Develop and approve research strategy and plan aimed at ensuring the protection of personal information.	Approved Research Strategy and Plan	Approved Research Strategy and Plan	Research Strategy developed	Research Plan developed	Research Strategy approved	Research and Plan approved

APP AND QUARTERLY TARGETS

Strategic Goal 3: A compliant environment that fosters the protection of personal information and promotion of access to information

STRATEGIC OBJECTIVE	PERFORMANCE INDICATOR	ANNUAL TARGET 2019/20	Quarterly Targets			
			1 st	2 nd	3 rd	4 th
3.1. Make guidelines for Codes of Conduct and produce a Manual for POPIA.	Approved Guidelines for Codes of Conduct	Guidelines for Codes of Conduct published	Draft Guidelines for Codes of Conduct tabled for discussion	Draft Guidelines for Codes of Conduct tabled for discussion	Relevant Stakeholders consulted on Guidelines for Codes of Conduct	Approved Guidelines for Codes of Conduct published
	Approved Guidelines for the registration of Information Officers	Approved and published Guidelines for the registration of Information Officers	Guidelines for the registration of Information Officers developed	Guidelines for the registration of Information Officers developed	Relevant Stakeholders consulted on Guidelines for the registration of Information Officers	Guidelines for the Information Officers approved and published
3.2. Develop process for handover of PAIA function from the South African Human Rights Commission (SAHRC).	Signed Memorandum of Cooperation (MOC) Implemented	Memorandum of Cooperation (MOC) signed and implemented	Draft MOC reviewed	MOC tabled and signed	MOC implemented	MOC implemented

APP AND QUARTERLY TARGETS

Strategic Goal 4: Protection of personal information through resolving of complaints

STRATEGIC OBJECTIVE	PERFORMANCE INDICATOR	ANNUAL TARGET 2019/20	Quarterly Targets			
			1 st	2 nd	3 rd	4 th
4.1. Handling of complaints related to the alleged violations of the protection of personal information.	Approved POPIA Complaints Management Processes, Standard Operating Procedures (SOPs) and Manual	Complaints Management Processes, SOPs and Manual developed	Consultations with the appointed service provider on Complaints Management Processes, SOPs and Manual	Service provider to develop and present Complaints Management Processes, SOPs and Manual	Approval of the developed Complaints Management Processes, SOPs and Manual	Testing and piloting of the Complaints Management Processes, SOPs and Manual

APP AND QUARTERLY TARGETS

Strategic Goal 5: Optimal functional independent Information Regulator

STRATEGIC OBJECTIVE	PERFORMANCE INDICATOR	ANNUAL TARGET 2019/20	Quarterly Targets			
			1 st	2 nd	3 rd	4 th
Fully established administration to enable delivery on the mandate	Approved Organisational Structure	Approved second phase of the organisational structure	Second phase of the organisational structure developed and approved	National Treasury Officials consulted on the second phase of the organisational structure	Minister of Finance consulted in terms of section 47(5) of POPIA on the second phase of the organisational structure	Second phase of the Organisational Structure approved and positions advertised
	Approved Corporate Services, Policies and Guidelines	Approved Recruitment Policy	Draft Recruitment Policy developed	Draft Recruitment Policy developed	Draft Recruitment Policy tabled for discussion	Recruitment Policy approved
	Approved Delegation of Authority Framework	Approved Delegation of Authority Framework	Delegation of Authority Framework developed	Delegation of Authority Framework developed	Delegation of Authority Framework tabled for discussion	Delegation of Authority Framework approved
	Approved Employment Equity (EE) Policy	Approved EE Policy	Nil	Nil	Draft EE policy developed	Draft EE Policy tabled for discussion
	Identified list of finance policies to be developed	Identification of list of finance policies to be developed	Nil	Needs analysis for prioritisation of finance policies	First draft of the identified policies tabled	List of identified finance policies approved

BUDGET FOR 2019/20 FY

Programme	Indicative Medium-term allocation			
	2018/19	2019/20	2020/21	2021/22
Economic classification	R '000	R '000	R '000	R '000
Current payments	26 712	26 095	27 531	29 092
Compensation of employees	18 500	19 517	21 001	21 724
Goods and services	8 212	6 578	6 530	7 368
Transfers and subsidies	—	—	—	—
Provinces and municipalities	—	—	—	—
Departmental agencies and accounts	—	—	—	—
Public corporations and private enterprises	—	—	—	—
Foreign governments and international organisations	—	—	—	—
Non-profit institutions	—	—	—	—
Households	—	—	—	—
Payments for capital assets	662	2 812	2 966	3 082
Buildings and other fixed structures	—	—	—	—
Machinery and equipment	662	2 812	2 966	3 082
Cultivated assets	—	—	—	—
Software and other intangible assets	—	—	—	—
Land and subsoil assets	—	—	—	—
Total	27 374	28 907	30 497	32 174

EXPLANATORY NOTES ON THE BUDGET

- The total budget of R28,9 million has been allocated to the Regulator by the Department of Justice and Constitutional Development (DoJ & CD).
- The Regulator has submitted a request for additional budget to the DoJ & CD for the current financial year.

Q & A

Thank you