

REGULATORY

Don't let rumours deceive you, POPIA is still coming into effect on 1 July 2021 – No extension or grace!

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POPIA is still coming into effect on 1 July 2021

"We have already said that on the 1st of July all responsible parties must ensure that the processing of personal information complies with POPIA...People are asking us is the 1st of July, the deadline, going to be extended, we have to say here unequivocally that the deadline is not going to be extended..."^[1]

1. These are the words of the Chairperson of the Information Regulator, Advocate Pansy Tlakuka, in her recent webinar to stakeholders regarding readiness for the [Protection of Personal Information Act, 2013](#) ("POPIA") where she confirmed, unequivocally, that POPIA will still come into effect on 1 July 2021 and that there will be no extension of the grace period.
2. With just under 5 days left before POPIA comes into full effect, there has been much confusion and rumours regarding the effective date for POPIA, particularly that POPIA will not come into effect on 1 July 2021. Do not let these rumours deceive you and, worse, to your detriment!
3. So what is the cause of all this confusion? During this time of confusion we deem it necessary to clarify what has changed since Advocate Tlakuka uttered the words we quoted.
4. On 22 June 2021, the Information Regulator issued a media statement wherein it was announced that only section 58(2) of POPIA will not come into effect on 1 July 2021 and will be postponed from 1 July 2021 until 1 February 2022. The remaining provisions of POPIA were not included in this postponement and are consequently still coming into effect on 1 July 2021.
5. Section 58(2) of POPIA provides that a responsible party may not carry out information processing that is subject to prior authorisation until the Information Regulator has been notified and has completed its investigation or until the responsible party has received notice from the Information Regulator that a more detailed investigation will not be conducted.
6. Additionally, in the same media statement, the Information Regulator also announced that there will be no deadline for the registration of Information Officers and Deputy Information Officers. Previously, this deadline was 30 June 2021. This decision follows technical glitches with the registration portal and numerous concerns raised by responsible parties regarding the registration process.
7. So there you have it. POPIA will come into effect on 1 July 2021. As at the date hereof, there are just under 5 days for the full effect of POPIA – and these 5 days – are the last of days before it takes effect.

Discover more: [A Guide to the Protection of Personal Information Act of South Africa](#)

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