

Proposed PoPIA code of conduct for Residential Communities Council

By Peter Grealy, Wendy Tembedza, Karl Blom, Prineil Padayachy & Sanelisiwe Mthlane

19 Sep 2023

The Residential Communities Council has submitted a proposed code of conduct for its members to the Information Regulator, which will guide how they handle personal information.



Image source: photonphoto – [123RF.com](https://www.123RF.com)

On 8 September 2023, the Information Regulator published a notice in the Government Gazette No. 49280 (the Notice), acknowledging receipt of a proposed code of conduct from the Residential Communities Council (RCC Code). The Notice was published in terms of section 61(2) of the Protection of Personal Information Act, 4 of 2013 (PoPIA), which requires the Information Regulator to give notice that it is considering issuing a code of conduct.

Purpose of the RCC Code

The RCC Code will, among other things:

- promote appropriate practices by members of the RCC when processing personal information;
- establish procedures for the submission, consideration and resolution of complaints against the RCC or its members;
- lay down guidelines for the lawful processing of personal information by various stakeholders in the residential community industry; and
- provide guidelines to establish a complaints handling process by RCC members.

To whom it will apply

All RCC members as it is a mandatory requirement for membership to the RCC; and where appropriate, third parties who have entered into agreements with an RCC member on the processing of personal information.

Consequences of non-compliance

RCC members who do not comply with the RCC Code may be subjected to, at the RCC's discretion, a review of their membership by an assessor or independent adjudicator appointed by the RCC.

Next steps

The deadline for submitting written comments on the RCC Code is 22 September 2023. All written comments must be sent to the Information Regulator at the following email address: POPIACompliance@inforegulator.org.za A copy of the full draft RCC Code is available on the Information Regulator's [website](#).

ABOUT THE AUTHOR

Peter Grealy, Partner, Wendy Tembedza, Partner, Karl Blom, Partner, Prineil Padayachy, Senior Associate & Sanelisiwe Mthlane, Associate at Webber Wentzel

For more, visit: <https://www.bizcommunity.com>