



**INFORMATION
REGULATOR
(SOUTH AFRICA)**

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

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Email:
POPIACompliance@info regulator.org.za

Road Traffic Infringement Agency

253 Howick Close, Waterfall Office Park
Midrand
1685

Our reference: EC06/22

Dear Mr Moloi

per email: Matsela.Moloi@rtia.co.za

**RE: APPLICATION FOR EXEMPTION IN TERMS OF SECTION 37 OF THE PROTECTION
OF PERSONAL INFORMATION ACT 4 OF 2013**

1. The above matter refers.
2. The Information Regulator (Regulator) received an application for exemption from compliance with the conditions for lawful processing of personal information in terms of section 37 of the Protection of Personal Information Act 4 of 2013, (POPIA) from Mr Matsemela Moloi on behalf of Road Traffic Infringement Agency, signed on 27 October 2022.
3. The Regulator has completed its assessment of the above-mentioned application and in the circumstances of the processing outlined therein, advises as follows:
 - 3.1. The Regulator is satisfied that the circumstances processing accords with the requirements of section 37(1) (b) in that the processing involves a clear benefit to the data subject or a third party that outweighs, to a substantial degree, any interference with the privacy of data subjects that could result from the processing.
 - 3.2. Road Traffic Infringement Agency is found to comply with section 8, section 9, section 10, section 11(1) and (2), section 12, section 15, section 17, section 18, section 23 and section 25 of POPIA and it is thus not necessary for the Regulator to grant exemptions on the processing per these sections.

3.3. An exemption from compliance with section 11(3)(a) and 24 in terms of section 37(1)(a) read with section 37(2)(b) and 37(2)(c) of POPIA is granted subject to the following conditions imposed in terms of section 37(3) of POPIA:

3.3.1. The responsible party must secure the integrity and confidentiality of personal information of data subjects in its possession or under its control in compliance with section 19 of POPIA.

3.3.2. The responsible party will be bound by any conditions that may apply in terms of a Guidance Note to be issued by the Information Regulator on surveillance by CCTV camera.

4. While the Regulator has decided that the responsible party be granted exemption in terms of section 37(1) of POPIA, the obligations to ensure that conditions for lawful processing of information in terms of POPIA still remain applicable as contemplated in chapter 3 of POPIA. A notice in the Government Gazette and Regulator's website will without prejudice be published in the Regulator website.

We trust that the above is in order, but should you require further information in this regard, please do not hesitate to contact the Regulator on POPIACompliance@infoeregulator.org.za

Yours sincerely



MS D LAMOLA
SENIOR MANAGER: COMPLIANCE AND MONITORING
DATE: 21 DECEMBER 2022