



**INFORMATION
REGULATOR
(SOUTH AFRICA)**

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

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CODE OF ETHICS AND CONDUCT

1. DEFINITIONS AND PURPOSE

1.1 Purpose

The purpose of the code of ethics and conduct (Code) of the Information Regulator (Regulator) is to provide guidance to the members of the Regulator (Members). Secondly, to set the standard of ethical behaviour and conduct expected of them in their dealings with each other, members of staff, stakeholders, organizations and members of the public with whom they Members interact.

This Code must be read with the relevant provisions of the Protection of Personal Information Act 4 of 2013 (POPIA) and the Promotion of Access to Information Act 2 of 2000 (PAIA), other applicable laws, regulations, rules and policies, which bind the Members.

2. LEGAL FRAMEWORK

The Regulator is established in terms of section 39 of POPIA, which provides inter alia, that the Regulator 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.

The Regulator consists of the Chairperson and four (4) ordinary members (Members). Two (2) ordinary members are appointed on a full-time basis and two (2) ordinary members on a part-time capacity.

The Chairperson and two full time members may not perform or undertake any other remunerative work during the period in which they hold office except with the prior written consent of the Minister of Justice and Correctional Services.

3. UPHOLDING VISION, MISSION AND VALUES

Members must take leadership and ensure that the vision, mission and values of the Regulator are communicated, implemented and upheld by everyone in the organization.

4. CONFIDENTIALITY

4.1 Members must maintain confidentiality and must not disclose information that has been classified as confidential. Every attempt should be made to avoid leaks of confidential information.

4.2 Members should not use the information of the Regulator for personal benefit or to benefit any other business or entity which they are affiliated with.

4.3 Members must observe the Policy on Classification of Information.

5. CONFLICT OF INTEREST

Members should abide with the prescripts of conflict of interest as provided for in section 45 of POPIA and in the Regulator's Policy on Disclosure of Interests.

6. USE OF ASSETS

- 6.1 Members must protect assets assigned to them and protect them from loss, theft and misuse.
- 6.2 Members should not use assets for personal gain or for the benefit of immediate family members and others outside the normal course of work.
- 6.3 All assets should be used primarily for the legitimate work of the Regulator.
- 6.4 Members should not use assets to support personal business or political activities.

7. ACTIVE PARTICIPATION

- 7.1 Members must exercise their duties diligently, with integrity, collegiality and care and with due regard to the provisions of POPIA, PAIA and other relevant laws, regulations, rules and policies. In this regard, Members must:
 - 7.1.1 Attend meetings and Committee meetings;
 - 7.1.2 Prepare for all the meetings and Committee meetings;
 - 7.1.3 Cooperate with and respect the opinion of others, without suppressing robust debate;
 - 7.1.4 Support and implement a decision once taken, even when a Member did not support it;

- 7.1.5 Put the interest of the Regulator above personal interest;
- 7.1.6 Be respectful and courteous to each other, to staff, stakeholders and members of the public;
- 7.1.7 Represent the Regulator in a positive and supportive manner at all times and places; and
- 7.1.8 Observe at all times established roles and responsibilities and lines of communication between Members and the CEO and staff contained in the Charter of Roles and Responsibilities.

8. REVIEW

The Code of Ethics and Conduct shall be reviewed by the Members annually.

9. APPROVAL

This Code of Ethics and Conduct was adopted by the Members of the Regulator on 29 of May 2018.

Signed by  at Pretoria on 6 June 2018
Chairperson