

Circular 6/2021

07 October 2021

**TO: NATIONAL DEPARTMENT OF HEALTH
PROVINCIAL DEPARTMENTS OF HEALTH
NURSING EDUCATION INSTITUTIONS
ALL STAKEHOLDERS**

IMPLEMENTATION OF PROTECTION OF PERSONAL INFORMATION (POPI) ACT, 2013 (ACT NO 4 OF 2013)

1. PURPOSE

The purpose of this circular is to inform the National Department of Health, Provincial Departments of Health, Nursing Education Institutions and other stakeholders about the implementation of the above-mentioned POPI Act, 2013 by the South African Nursing Council (SANC).

2. PROMULGATION OF THE ACT


The POPI Act, 2013 was initially passed in 2013 and has since been implemented in stages. The last of these stages has had a very direct and profound impact on the way in which organizations and people deal with other people's information.

3. PROCLAMATION FOR IMPLEMENTATION- JULY 2021


As of the 1st of July 2021, Sections 55 to 109, Section 111 and Sections 114 (1), (2) and (3) commenced and on the 30th of June 2021 Sections 110 and 114 (4) commenced.

4. IMPLEMENTATION BY THE SOUTH AFRICAN NURSING COUNCIL

The Registrar of the SANC must, in terms of the Nursing Act, 2005 (Act No. 33 of 2005) keep registers in respect of Nurse practitioners which information includes personal details of Nurses.



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602 Pretorius Street, Arcadia, Pretoria 0083
Private Bag X132, Pretoria 0001,
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Tel: 012 420 1000
Fax: 012 343 5400
SANC Fraud Hotline: 0800 20 12 16



website: www.sanc.co.za

In line with the provisions of the POPI Act, 2013 the Registrar is appointed by the Information Regulator as the Information Officer, whose responsibilities flow from the Act.

In order to ensure compliance with these provisions, the SANC is taking the necessary steps to ensure its clients' Personal Information remains protected. To this end, the SANC will henceforth not disclose any Personal Information in its custody to any third party, unless proper procedure is followed via a fully completed and signed *Consent Form* (see attached). Only information that has been consented to will then be provided to specifically authorized individuals. This may impact on certain services rendered by the SANC, especially those where a person attempts to solicit services from the SANC on a Nurse's behalf. This will not affect the processes related to the payment of annual statutory registration fees by Employers on behalf of clients.

We would appreciate it if you could kindly share this information with all persons in your institutions.

For further information in respect of this Circular, you are advised to contact Mr. Benjamin Grobler, Senior Manager: Legal Affairs at (012) 420-1074 or on email address: bgrobler@sanc.co.za

Yours sincerely



Ms S.A. Mchunu

Registrar and Chief Executive Officer (CEO)

Date: 2021 -10- 07



South African Nursing Council
Regulating nursing, advocating for the public

SANC CONSENT FORM

CLIENT INFORMATION *(To be completed by the Client)*

Surname	:	
Full Names	:	
Maiden Name	:	
Mobile Number	:	
Date of Birth	:	
ID Number/Identifier	:	
SANC number	:	

THIRD-PARTY DETAILS *(To be completed by person doing enquiries or business on behalf of the client listed above)*

Full Names and Surname:		
ID number	:	
Email address	:	
Mobile No	:	
SANC No. (if applicable):		

BACKGROUND SCREENING CHECKS *(To be completed by the Client Services Agent by ticking (x) boxes below.)*

SANC Number Check	
Identity Verification	
Name and Surname check	
Qualification check	



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DEFINITIONS IN TERMS OF BELOW CONSENT

- "Client" means the Nurse practitioner completing this document and who provides consent for a service to be rendered by the SANC;
- "Personal Information" shall have the meaning ascribed to it in Chapter 1 of POPI and includes, but is not limited to a name, address, email address, telephone or fax number, and education or other personal credentials provided, or which is collected from the candidate or other third parties, before and/or during the background screening process and/or thereafter;
- "POPI" shall mean the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), as amended from time to time, including any regulations made under the Act; and
- "Privacy and Data Protection Conditions" refers to the 8 (eight) statutory prescribed conditions for the lawful Processing of Personal Information.

CONSENT FOR THE USE OF INFORMATION

- By signing this form, I (the client) hereby authorize that the person duly authorized by me in this application may be provided with my information held by the SANC and be rendered the requested service on my behalf;
- I understand that consent forms part of the verification process;
- I warrant that all information, including Personal Information, supplied to the SANC is accurate and current; and
- I agree that the SANC, to the extent permitted by Law, will not be liable for any complaint, claim or action brought by me, arising from any action or omission by the SANC.

SURNAME:	
CLIENT SIGNATURE:	DATE:
THIRD PARTY NAME AND SURNAME:	
RELATION TO CLIENT:	
THIRD PARTY SIGNATURE:	DATE:

All signatories to this document agree that the SANC will NOT be held liable for the content, factual correctness or accuracy of any information supplied to the SANC.