



**The Wilds Home Owner`s Association (NPC)**

Company Reg. No: 2003/008761/08

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March 2021

Dear Member/Owner/Resident

**RE: THE WILDS HOA - COMPLIANCE WITH PREVAILING DATA PROTECTION AND PRIVACY LEGISLATION**

The Wilds Home Owners Association (“the HOA”) places a high premium on the privacy and personal information of our members, residents, visitors, employees and every third-party service provider or supplier with whom we engage or contract. As such, the HOA has recognised the importance of deploying a comprehensive data protection compliance framework to ensure that our day-to-day activities comply with the Protection of Personal Information Act, 2013 (“POPIA”). The HOA seeks to process the personal information of our members, residents and visitors in a lawful and responsible manner and has also taken appropriate steps to ensure that our service providers and suppliers to do the same. The purpose of this letter is to inform our members and residents of the proactive steps the HOA has taken to comply with POPIA, as well as to lay the foundation for the steps which the HOA will be taking in future.

**BACKGROUND & OBJECTIVES OF THE HOA POPIA COMPLIANCE PROJECT**

In 2020, in anticipation of the full enforcement of POPIA, the HOA initiated a legal data protection compliance project with the following objectives:

1. To undertake a gap analysis/risk assessment to evaluate the HOA’s data processing infrastructure and identify areas of risk in relation to compliance with prevailing data protection legislation, such as POPIA.
2. To undertake an internal training program and take the necessary steps to establish and maintain the HOA’s compliance with prevailing data protection laws.
3. To implement practical legal measures and documentation with the following objectives:
  - To give effect to the responsibilities and duties of the HOA’s Information Officer.
  - To create a policy framework which codifies acceptable standards and protocols to ensure that the HOA’s processing of personal information is compliant with the provisions of POPIA.



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- To create a tailored compliance framework to foster an internal culture of data protection compliance, hold the HOA's employees, suppliers and service providers accountable, and ultimately manage the HOA's compliance risks effectively.

### IMPORTANCE OF THE HOA'S POPIA COMPLIANCE PROJECT

Compliance with prevailing data protection laws, especially on an operational level, pose significant operational challenges and the HOA recognised that legal compliance is critical. Therefore, the HOA is developing a compliance framework which:

- Enables it to comply with the conditions for the lawful processing of personal information as set forth in terms of POPIA.
- Allows the establishment of clear processes and procedures within which to foresee, identify and deal with information security compliance risks.
- Enables the HOA to stay operational and mitigate applicable risks in the event of an incident occurring.
- Identifies the obligations imposed upon the HOA in its capacity as a responsible party, and which will hold employees, suppliers and service providers accountable.
- Fosters a culture of data protection and information security compliance.

### STATUS OF THE PROJECT

In December 2020, we started taking steps to execute the responsibilities of the HOA's Information Officer, which has included undertaking internal training and awareness, as well as the execution of certain legal documents which will very shortly be published on the HOA's website and form part of our day-to-day processes.

The HOA is about to give effect to the registration of the HOA's Information and Deputy Information Officer(s) before 31 March 2021, which is a truly critical milestone to achieve and once this has been done, our members, residents, employees, suppliers and service providers will be informed as to the scope of personal information the HOA processes, as well as the purposes for which it processes such personal information.

### THE WAY FORWARD FOR THE HOA

The way forward in respect of the project is briefly as follows:

1. **Step 1:** The HOA will be concluding the necessary documentation giving effect to the appointment and registration of the HOA's Information and Deputy Information Officer(s), which is to be done before 31 March 2021.



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2. **Step 2:** To execute and publish any draft legal documentation which has been prepared pursuant to this project.
3. **Step 3:** To develop and deploy the HOA's information security policy framework, which will ensure that all owners and residents understand impact of POPIA on the HOA's day-t-day operations.

Ultimately, the HOA has made significant progress to ensure the timeous compliance with prevailing data protection laws such as POPIA. The above steps will be executed systematically over the coming weeks and the HOA will keep all members and residents fully apprised of developments. For your consideration, we attach to this letter a comprehensive POPIA Pocket Guide developed by our service provider for distribution to our members and residents. Please consider this Pocket Guide and feel free to contact us if you have questions.

Yours faithfully,

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***Brendan Olivier***

*Estate General Manager*