

POPIA CODE OF CONDUCT FOR RESIDENTIAL COMMUNITY INDUSTRY

Category: Privacy Law and POPIA, Privacy Law, Infosec, and POPIA
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The [Information Regulator](#) has issued a notice regarding the receipt of a [proposed code of conduct](#) from the Residential Community Industry (“**RCI**”). This code outlines the framework for processing personal information in residential communities, ensuring compliance with the Protection of Personal Information Act (“**POPIA**”) and promoting responsible data management.

The purpose of the proposed code of conduct is to establish appropriate data processing practices among members of the Residential Communities Council (“**RCC**”) and the National Association of Managing Agents (“**NAMA**”). It aims to encourage agreements between RCI members and third parties to regulate the processing of personal information in compliance with POPIA and good business standards. Additionally, the code provides guidance for residential communities in interpreting POPIA and related laws, setting procedures for handling complaints and taking remedial

action where necessary.

Who is the RCC?

The RCC serves as the unified voice and representative body of RCI, facilitating interaction with government at all levels, statutory bodies, and various public or private entities on matters relevant to the industry. To support its mission, the RCC establishes, regulates, and sustains the National Working Committee and Regional Working Committees, ensuring that industry members operate within a structured, self-regulating framework. Representatives from these regional committees are nominated to serve on the RCC Board, strengthening industry-wide collaboration. Additionally, the RCC plays a vital role in policy development and advocacy, ensuring effective representation of the RCI to both government and civil society. Whether addressing legislative proposals, making representations on key issues, or participating in legal proceedings, the RCC functions as the industry's official liaison and voice in all regulatory and policy matters.

Who is NAMA?

The NAMA is a voluntary, non-profit organization committed to advancing the interests of Managing Agents and Community Scheme Management in South Africa. As community schemes continue to grow in popularity, NAMA plays a key role in ensuring that property managers, trustees, and committees are equipped with the necessary expertise to navigate the complexities of communal housing. With a strong focus on professional training, industry advocacy, and community scheme development, NAMA provides educational resources such as courses on sectional title living, workshops, webinars, and networking events to enhance industry knowledge and standards. Through these initiatives, the organization fosters professionalism and knowledge-sharing, contributing to the stability and growth of the property management sector. By preparing Managing Agents to handle the legal, financial, and operational aspects of community schemes, NAMA ultimately benefits homeowners and residents, creating a more structured and well-managed property industry.

Both bodies often collect and process personal details such as names, identity numbers, addresses, and contact information. To comply with POPIA, they must:

- Obtain explicit consent before using personal data.[\[1\]](#)
- Limit data collection to only what is necessary for management purposes.[\[2\]](#)
- Ensure secure storage and protection against unauthorized access.[\[3\]](#)
- Allow individuals to withdraw consent and request data deletion when appropriate.[\[4\]](#)

POPIA establishes clear guidelines for handling personal data responsibly. It mandates that organizations obtain explicit consent before processing personal information, as outlined in Section 11. Furthermore, Section 15 ensures that data collection is limited to what is strictly necessary for management purposes, preventing excessive or irrelevant data gathering. To safeguard personal information, Sections 19-21 emphasize secure storage and protection against unauthorized access, reinforcing the obligation of responsible data handling. Importantly, Section 11 also grants individuals the right to withdraw their consent and request the deletion of their personal data when appropriate. These provisions collectively uphold data privacy and security while ensuring individuals retain control over their personal information.

The scope of governance outlined in the code of conduct includes the processing of personal information by residential communities that are members of RCI, ensuring compliance with POPIA. It also covers agreements between RCI members and third parties that promote responsible data

handling and regulatory adherence. Additionally, the code establishes enforcement mechanisms within RCI to ensure that members comply with its provisions. Public participation and comments play a vital role in shaping the final implementation of the code, allowing affected stakeholders to contribute their insights and feedback.

Affected parties and stakeholders are invited to submit written comments on the proposed code to the Information Regulator via POPIACompliance@inforegulator.org.za within fourteen days from the publication of the notice in the Government Gazette. A copy of the code is available on our [Legal Updates](#) page and on the Regulator's website. Alternatively, interested parties may request a copy by emailing POPIACompliance@inforegulator.org.za. For further details, visit www.gpwonline.co.za. This initiative reinforces data protection and ensures that personal information within residential communities is processed responsibly and in line with South African privacy laws.

[1] Section 11 of the *Protection of Personal Information Act 4 of 2013*.

[2] Section 15 of the *Protection of Personal Information Act 4 of 2013*.

[3] Section 19 to 21 of the *Protection of Personal Information Act 4 of 2013*.

[4] Section 11 of the *Protection of Personal Information Act 4 of 2013*.