**South Africa’s Protection of Personal Information Act, 2013**

I have cited verbatim sections of the statute that could possibly confer requirements on a new gTLD directory service:

**4. Lawful processing of personal information**

 (1) The conditions for the lawful processing of personal information by or for a responsible party are the following: accountability, processing limitation (including minimality), purpose specification (including limitations on retention), further processing limitation, information quality, openness, security safeguards and data subject participation.

**5. Rights of data subjects**

A data subject has the right to have his, her or its personal information processed in accordance with the conditions for the lawful processing of personal information as referred to in Chapter 3, including the right—

1. to be notified that—
	1. personal information about him, her or it is being collected as provided for in terms of section 18; or
	2. his, her or its personal information has been accessed or acquired by an unauthorised person as provided for in terms of section 22;
2. to establish whether a responsible party holds personal information of that data subject and to request access to his, her or its personal information as provided for in terms of section 23;
3. to request, where necessary, the correction, destruction or deletion of his, her or its personal information as provided for in terms of section 24;
4. to object, on reasonable grounds relating to his, her or its particular situation to the processing of his, her or its personal information as provided for in terms of section 11(3)*(a)*;
5. to object to the processing of his, her or its personal information—
	1. at any time for purposes of direct marketing in terms of section 11(3)*(b)*; or
	2. in terms of section 69(3)*(c)*;
6. not to have his, her or its personal information processed for purposes of direct marketing by means of unsolicited electronic communications except as referred to in section 69(1);
7. not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of his, her or its personal information intended to provide a profile of such person as provided for in terms of section 71;
8. to submit a complaint to the Regulator regarding the alleged interference with the protection of the personal information of any data subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator as provided for in terms of section 74; and
9. to institute civil proceedings regarding the alleged interference with the protection of his, her or its personal information as provided for in section 99.

**Exclusions**

**6.** (1) This Act does not apply to the processing of personal information—

1. in the course of a purely personal or household activity;
2. that has been de-identified to the extent that it cannot be re-identified again;
3. by or on behalf of a public body—
	1. which involves national security, including activities that are aimed at assisting in the identification of the financing of terrorist and related activities, defence or public safety; or the purpose of which is the prevention, detection, including assistance in the identification of the proceeds of unlawful activities and the combating of money laundering activities, investigation or proof of offences, the prosecution of offenders;
	2. or the execution of sentences or security measures, to the extent that adequate safeguards have been established in legislation for the protection of such personal information;
4. by the Cabinet and its committees or the Executive Council of a province; or
5. relating to the judicial functions of a court referred to in section 166 of the Constitution.

(2) **‘‘Terrorist and related activities’’**, for purposes of subsection (1)*(c)*, means those activities referred to in section 4 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004).

**Prohibition on processing of special personal information**

**26.** A responsible party may, subject to section 27, not process personal information concerning—

1. the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or
2. the criminal behaviour of a data subject to the extent that such information relates to—
	1. the alleged commission by a data subject of any offence; or
	2. any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

**27.** (1) The prohibition on processing personal information, as referred to in section 26, does not apply if the—

1. processing is carried out with the consent of a data subject referred to in section 26;
2. processing is necessary for the establishment, exercise or defence of a right or obligation in law;
3. processing is necessary to comply with an obligation of international public law;
4. processing is for historical, statistical or research purposes to the extent that—
	1. the purpose serves a public interest and the processing is necessary for the purpose concerned; or
	2. it appears to be impossible or would involve a disproportionate effort to ask for consent, and sufficient guarantees are provided for to ensure that the processing does not adversely affect the individual privacy of the data subject to a disproportionate extent;
5. information has deliberately been made public by the data subject; or
6. provisions of sections 28 to 33 are, as the case may be, complied with.

(2) The Regulator may, subject to subsection (3), upon application by a responsible party and by notice in the *Gazette*, authorise a responsible party to process special personal information if such processing is in the public interest and appropriate safeguards have been put in place to protect the personal information of the data subject.

(3) The Regulator may impose reasonable conditions in respect of any authorisation granted under subsection (2).

Sections 28 to 32 specify how authorisation on data subject’s religious or philosophical beliefs, race or ethnic origin, trade unionmembership, political persuasion, health or sex life or criminal behaviour or biometric information.