



## **Privacy Law Update**

### **Regulator addresses change to WhatsApp Privacy Policy**

The Information Regulator has announced that it intends to address the inconsistency in WhatsApp privacy rights afforded in the South African context following the requirement by WhatsApp on 15 May 2021 that users accept new terms and conditions for using the App.

The new terms and conditions highlighted the substantial differences between privacy policies for European based users and those users residing outside of Europe, effectively resulting two privacy policies for users of WhatsApp.

The Regulator has made written request to WhatsApp LLC to bring the privacy policy used in South Africa in line with the standard used in the European Union (EU) on the basis that the Protection of Personal Information Act (POPIA) and the EU data privacy regimes are similar and should be equally protective.

The Regulator advises that it has also asked the Portfolio Committee on Justice and Correctional Services to request Facebook South Africa (SA) and WhatsApp LLC to appear in Parliament on this matter.