



INFORMATION REGULATOR (SOUTH AFRICA)

*Ensuring protection of your personal information
and effective access to information*

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MEDIA STATEMENT

03 March 2025

THE REGULATOR WELCOMES THE JUSTICE MINISTER'S DECISION ON PUBLICATION OF THE SEX OFFENDERS REGISTER

The Information Regulator (Regulator) welcomes the decision by the Minister of Justice & Constitutional Development, the Hon. Mmamoloko Kubayi MP (the Minister), to put a pause on the publication of the National Register of Sex Offenders (NRSO). According to the statement released on 01 March 2025 by the Department of Justice & Constitutional Development (DoJ&CD), this decision was arrived at after consideration of "the confidentiality and disclosure provisions in the Sexual Offences and Related Matters Act". The Regulator supports the Minister's decision fully. Sexual assault and gender-based violence are doubtlessly a scourge in South Africa and all legally sound actions must be taken to protect the vulnerable against such egregious violations of their rights to bodily integrity and human dignity. However, in a rules-based society such as South Africa, it is also imperative that such action must fall within the confines of the law.

Currently, the legislation providing for the compilation, maintenance and dissemination of the NRSO prohibits its publication. This was one of the issues discussed by the Regulator and the representatives of the DoJ&CD at their meeting held on 27 January 2028. An additional concern for the Regulator was that it was not clear how the DoJ&CD intended to ensure that the publication of the NRSO would be consistent with the eight conditions for lawful processing of personal information in terms of the Protection of Personal Information Act 4 of 2013 (POPIA).

The Regulator has committed to making a submission for consideration by the Minister. This submission will detail aspects of POPIA that will need to be addressed for the publication of the NRSO to be in alignment with POPIA.

ENDS

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ISSUED BY THE INFORMATION REGULATOR OF SOUTH AFRICA