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Social media and the law – how to be a responsible citizen

“Small actions, big difference – welcome to the digital neighbourhood”

Dismissal. Fines. Jail time. Loss of income. Reputational damage. These are some of the possible consequences when breaking the law while using social media.

Introduction

As we have seen in several incidents that made the headlines over time, the irresponsible use of social media can have devastating reputational and legal consequences. This is true for activities like hate speech, defamation, distribution of porn, cyberbullying and copyright infringement, even if you used a private account or shared content with a selected audience only.

How to protect yourself

Our Constitution protects the right to freedom of expression for all. However, this right does not extend to activities that infringe on other people’s rights, for example, advocacy of hatred that is based on race,



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Familiarise yourself with the social media laws of the country you are living in.

ethnicity, gender or religion and constitutes a threat to such a group’s right to safety.

The Protection of Personal Information Act and the Electronic Communications and Transactions Act support the right to privacy granted in the Constitution and govern our social media and other online activities.

In addition, the Cybercrimes Act declares as a criminal offence disclosure of data messages by means of an electronic communications service, that incite violence or threaten a person or groups of persons with violence against them, or that display intimate videos or photos of a person without their consent.

Familiarise yourself with these and other laws relevant to electronic communications, the consequences of non-compliance, and your rights should you become the victim of a criminal offence.