



REGISTRATION WITH THE PERSONAL DATA PROTECTION OFFICE

The Personal Data Protection Office (“**PDPO**”) is Uganda’s independent data protection authority. The PDPO is established under Section 4 of the Data Protection and Privacy Act , 2019 (“**DPPA**”) and has since been operationalized subsequent to the DPPA regulations which were enacted in 2021.

Under the current framework, Section 29 of the DPPA mandates the PDPO to maintain a data protection register where every person, institution or public body collecting and processing personal data shall be registered.

Further, Regulation 15 of the DPPA Regulations mandates every data collector, data processor and data controller to register with the PDPO. Failure to register with the PDPO is an offence, and the offender is liable on conviction to a fine not exceeding UGX 120,000 (USD 35) or imprisonment not exceeding months or both.

Where the offence of non-registration is committed by a corporation, the corporation and every officer of the corporation who knowingly and willfully authorizes the contravention commit an offence and are liable on conviction to the similar penalties described above.

The PDPO is empowered to investigate any complaint brought to its attention and as such has the capacity to enlist other authorities to ensure compliance on the part of an individual or organization. This may bring reputational and operational inconvenience should it be found that an individual or organization is not compliant.

Who is a Data Collector, Controller and Processor?

The DPPA under Section 2 guides on the definitions as below;

Data Collector – Means a person who collects personal data.

Data Controller – Means a person who alone, jointly with other persons or in common with other persons or as a statutory duty determines the purposes for and the manner in which personal data is processed or is to be processed.

Data Processor – in relation to personal data, means a person other than an employee of the data controller who processes the data on behalf of the data controller.

NB: Personal data refers to information about a person from which the person can be identified which is recorded in any form and includes data that relates to; nationality, age, marital status, identity data or other information which is in the possession of or is likely to come into the possession of the data controller and includes an expression of opinion about that person.

Some examples of personal data include identifiers, individuals commercial information, sensory data (audio-visual), internet or similar network activity, geo-location data, professional or employment related data. We advise getting in touch with our TMT department should you require more information on what entails personal data

We advise that compliance with key fundamentals of the data protection regime is the first step for data collectors, processors and controllers in ensuring that they fulfill their obligations under the law such as;

- Register in compliance with the law.
- Establish a privacy governance structure.
- Ensure personal data is processed lawfully.
- Ensure data is utilized for the purpose it was collected.
- Develop and implement policies and procedures to enable data subjects exercise their rights.
- Embed data protection into operations.

For further assistance and support please contact our TMT Partner, **Brian Kalule** or your relationship partner at [Bowmans, Uganda](#).



ETHIOPIA KENYA MAURITIUS SOUTH AFRICA TANZANIA UGANDA

www.bowmanslaw.com

Disclaimer: This publication is not intended to constitute legal advice which can only be given having regard to particular facts and circumstances. Any liability that would or could arise from or of the contents hereof is hereby excluded. Always seek professional advice from a suitably qualified lawyer on any specific legal problem or matter.