



DATA PROTECTION IN NIGERIA

FRIDAY 25TH OCTOBER 2019: PREPARING FOR THE DEADLINE

National Information Technology Development Agency (NITDA) issued the Nigeria Data Protection Regulation 2019 (NDPR) on 25th of January 2019. This regulation aims to protect personal data of data subjects by ensuring that organisations that use and process such data do so lawfully.

The NDPR requires all Data Controllers (defined to mean entities which determine the purpose and manner of processing personal data) to conduct a detailed data

protection audit within six months from the date of issuance of the Regulation, which deadline fell on 25th of July 2019. However, following pressure from stakeholder groups, NITDA granted a three-month extension for the conduct of the initial audit.

The extended deadline for Data Controllers to file their audit reports is **Friday, 25th of October 2019.**

Matters to be covered in the audit report include the following:

- The personal data collected by the organisation
- Purpose for which such personal data is collected
- Data privacy notice given to data subjects
- Process for data subjects to amend their personal data held by the company
- Confirmation on data subjects' consents
- Internal data policy of the organisation
- Measures put in place to secure personal data
- Process for reporting data privacy violations

The NDPR empowers NITDA to register and license Data Protection Compliance Organisations (DPCO) to conduct independent data audits, train, and provide compliance consulting to data controllers. Audit reports to be submitted to NITDA are also required to be verified by DPCOs. In other words, only audit reports issued under the hand of DPCOs would meet this compliance requirement.

We are pleased to confirm that Jackson, Etti & Edu has been appointed by NITDA as a Data Protection Compliance Organisation.

Our Data Protection services include:

- Conducting independent data compliance audits
- Providing trainings on data protection compliance
- Drafting data protection policies and standard data privacy clauses
- Assessing data protection risk and proffering practical solutions
- Drafting data transfer agreements or data processing agreements/clauses for third party data processors
- Developing a general data protection and privacy policy statement
- Developing a data privacy policy framework for organisations

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