



DATA PROTECTION

Introduction

SECUREGIRLS

LIST OF CONTENTS



OUR VISION

INTRODUCTION

TERMINOLOGIES
USED

KEY ARTICLES

CONCLUSION





OUR MISSION

At Secure Girls, we are committed to raising awareness about data protection and empowering women and girls to safeguard their digital rights. Our goal is to create a community where everyone has the knowledge and tools to protect their personal data and privacy. We focus on educating individuals about their rights under data protection laws, building capacity for responsible data management, and advocating for ethical data practices within communities and organizations.



INTRODUCTION

The Data Protection Act of 2019, enacted in Kenya, provides a legal framework for processing personal data. It aligns with constitutional principles under Article 31 of the Kenyan Constitution, which guarantees the right to privacy. The Act ensures that data is collected, stored, and processed responsibly, emphasizing consent, transparency, and accountability.



COMMON TERMINOLOGIES

Data Controller

Data Subject

Data Breach

Data protection
Commissioner

Data protection
Impact Assessment



DEFINITIONS

1. Personal Data: Information that identifies a person, like a name or phone number.
2. Sensitive Personal Data: Private data that reveals sensitive details, such as health or political beliefs.
3. Data Subject: The person whose personal data is being used.
4. Data Controller: The person or organization that decides how personal data is used.
5. Data Processor: The person or organization that processes data on behalf of the controller.
6. Data Breach: Unauthorized access or sharing of personal data.
7. Consent: Permission given by the person to use their data.
8. Profiling: Using data to predict someone's behavior or preferences.
9. Data Protection Commissioner: An authority that enforces data protection laws.
10. Third Party: Any organization or person not directly involved in data processing.
11. Anonymization: Removing personal identifiers from data to protect privacy.
12. Pseudonymization: Replacing personal identifiers with codes while keeping the ability to trace them.
13. Data Protection Impact Assessment (DPIA): A process to evaluate and reduce privacy risks in data usage.



KEY ARTICLES FROM THE DATA PROTECTION ACT, 2019



Article 30: Consent for Data Processing


Stipulates that data processing must be based on explicit, informed, and freely given consent by the data subject.

Withdrawal of consent should be simple and effective.

Article 37: Processing of Sensitive Personal Data

Requires special safeguards for processing sensitive personal data, such as health, genetic, or biometric information, political affiliations, or religious beliefs.

Processing such data is prohibited unless explicitly permitted by law or with the subject's consent.





KEY ARTICLES FROM THE DATA PROTECTION ACT, 2019



Article 31: Right to Privacy

This article guarantees every individual the right to privacy, which includes the right to:

- . Have their personal information protected from unnecessary collection, use, or disclosure.
- . Ensure that their communication (correspondence) remains confidential.
- . Protect family and personal affairs from unwarranted intrusion.


This constitutional provision forms the foundation for Kenya's data protection laws.

1. Article 26: Obligations of Data Controllers and Processors

-Requires data controllers and processors to process personal data lawfully, and fairly,

transparently.

-They must collect data for specified and legitimate purposes and ensure data accuracy and security.





CONCLUSION

Data protection is essential in today's digital world, and the Data Protection Act, 2019, provides a strong framework to ensure personal privacy and accountability. At Secure Girls, we are committed to raising awareness about these laws and empowering individuals, especially women and girls, to protect their digital rights. By educating communities, advocating for ethical data practices, and building responsible data management skills, we aim to create a safer, more secure digital environment for everyone.

Let's work together to safeguard personal data and uphold privacy for all.

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