

## TANZANIA PDPA AWARENESS GUIDE SUMMARY

### The Personal Data Protection Act (PDPA), 2022

#### What is the PDPA?

The **Personal Data Protection Act (No. 11 of 2022)** is Tanzania's primary legislation dedicated to safeguarding the privacy and security of individual personal data. It grants individuals control over how their information is collected, used, and stored, and imposes strict obligations on organizations (businesses, NGOs, government entities) that process this data.

#### WHO IS AFFECTED? (SCOPE)

The PDPA applies to any entity that processes the personal data of individuals in Tanzania, regardless of where the processing takes place.

Term	Definition
<b>Data Subject</b>	Any identifiable individual whose personal data is being processed (e.g., customers, employees, citizens).
<b>Data Controller</b>	The entity that determines <i>why</i> and <i>how</i> personal data is processed (e.g., a company collecting customer data).
<b>Data Processor</b>	The entity that processes data <i>on behalf</i> and <i>under the instructions</i> of the Data Controller (e.g., a cloud storage provider, a payroll company).
<b>PDPC</b>	<b>Personal Data Protection Commission</b> —the independent regulatory body established to enforce the Act.

#### THE SIX CORE DATA PROTECTION PRINCIPLES

All Data Controllers and Processors must adhere to these foundational principles when handling personal data:

1. **Lawfulness, Fairness, and Transparency:** Data must be processed legally, in an honest manner, and the individual must be clearly informed about the processing.
2. **Purpose Specification:** Data must be collected for explicit, specified, and legitimate purposes and cannot be used later for contradictory purposes.
3. **Data Minimization (Proportionality):** Only collect and process the data strictly necessary for the purpose. Do not collect excessive information.

4. **Accuracy:** Personal data must be accurate, complete, and kept up to date. Inaccurate data must be corrected or deleted without delay.
5. **Storage Limitation:** Data must not be kept longer than is necessary for the purposes for which it was collected. Clear retention and disposal policies must be in place.
6. **Security and Confidentiality:** Implement robust technical and organizational measures to protect data against unauthorized access, destruction, loss, or disclosure.
7. **Accountability:** Data Controllers must be able to **demonstrate** compliance with all the above principles.

## YOUR RIGHTS AS A DATA SUBJECT

The Act grants individuals' comprehensive rights over their personal data:

- **Right of Access:** The right to know whether your personal data is being processed and to obtain a copy of it.
- **Right to Rectification (Correction):** The right to have inaccurate or incomplete personal data corrected.
- **Right of Erasure (Deletion):** The right to have your personal data deleted when it is no longer necessary for the purpose it was collected (the "Right to be Forgotten").
- **Right to Prevent Processing:** The right to prevent the processing of your data for specific reasons, such as direct marketing.
- **Right to Complain:** The right to file a complaint with the PDPC if you believe your rights have been violated.

## KEY OBLIGATIONS FOR BUSINESSES

To comply with the PDPA, organizations must take the following key actions:

1. **Mandatory Registration:** All Data Controllers and Processors must **register** with the Personal Data Protection Commission (PDPC).
2. **Appoint a DPO:** Designate a **Data Protection Officer (DPO)** to oversee compliance, manage policies, and serve as the contact point for the PDPC.
3. **Implement Security:** Put in place adequate technical and organizational security measures (e.g., encryption, access controls, physical security) to protect data.
4. **Consent and Lawful Basis:** Ensure a valid legal basis (such as consent or contractual necessity) exists before collecting or processing data. Consent must be specific, informed, and freely given.

5. **Manage Third Parties:** Closely manage any Data Processors (vendors) handling data on your behalf, typically through a formal **Data Processing Agreement (DPA)**.
6. **Transborder Flow:** Regulate the transfer of personal data outside of Tanzania, ensuring adequate protection measures are in place.

## PENALTIES AND ENFORCEMENT

The PDPC has the power to conduct investigations, issue enforcement notices, and impose significant administrative fines for non-compliance. Penalties can be substantial, underscoring the necessity of proactive compliance.

### Contact the Regulator

For the full legal text, official regulations, and registration details, always refer to the official source:

Personal Data Protection Commission (PDPC)

[PDPC-Acts](#)

Your Privacy Is Our Priority.