

Data Protection

What is Data Protection?

Data Protection is the process of protecting personal information from unauthorised use and breaches of privacy rights.

What is the Data Protection Act?

The Data Protection Act, 2012 (Act 843) is the law which regulates the various ways the personal information of individuals is collected, used and/or disclosed. The Act created a Data Protection Commission which protects the privacy of individuals and their personal data and provides the process for obtaining, holding, using or disclosing information.

Why is Data Protection important?

Data Protection is important because it ensures that information collected from individuals are processed in ways which protect the privacy and integrity of the individuals. Businesses need to know about data protection to comply with the mandatory rules and principles under the Data Protection Act in dealing with employee and client information.



What is Personal Data?

Personal data refers to any information about an individual which can be used, whether on its own or together with other available information, to identify that individual. For example, the biographic data page of a person's passport which provides information that can be used to identify the person is personal data.

Are there any rules regarding the collection of personal data?

Yes. Personal data must be collected and used for a specific purpose which must be lawful, clearly defined and related to the functions or activities of the person collecting the data.

The person collecting the data must take the necessary steps to ensure that the person whose data is being collected (the data subject) is aware of the purpose for collecting the data. Generally, personal data must be collected directly from the data subject, unless the law makes an exception.

How do I find out if an organization has or is using my personal data then?

A data subject has the right to request that a business entity confirms whether it holds any personal data about him/her. The data controller may charge a reasonable cost to supply this information. Where such personal data exists, the data subject is also entitled to know the identities of any third parties with whom the data controller has shared the personal data.

Can a data controller use the personal data collected for direct marketing?

No, a data controller may not use personal data collected for direct marketing, unless the data subject has given their consent in writing.

What happens if a person who is not registered with the Data Protection Commission processes personal data?

Any person who fails or refuses to register with the Data Protection Commission but processes personal data may become liable to pay a fine of up to GHC3,000 or to serve a prison sentence of up to two years or do both.



About us

ND&C LaunchPad is a platform by n. dowuona and company providing legal education to all and access to business solutions primarily for women-led businesses.

LaunchPad's primary purpose is to help early-stage businesses meet regulatory and compliance standards necessary to grow without breaking the bank. We do this by providing free educational material and discounted advisory services to deserving young businesses.

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