



MINISTRY OF ICT, INNOVATION AND YOUTH AFFAIRS

## OFFICE OF THE DATA PROTECTION COMMISSIONER

### CALL FOR COMMENTS AND INVITATION FOR PUBLIC PARTICIPATION ON THE DRAFT DATA PROTECTION REGULATIONS, 2021

The Ministry of ICT, Innovation and Youth Affairs through a Taskforce on the development of the Data Protection Regulations has formulated 3 sets of Regulations to actualize the Data Protection Act, 2019 which seeks to safeguard the processing of personal data; to provide for the rights of data subjects and obligations of data controllers and processors; and for connected purposes.

These Regulations are the:

**1. Data Protection (General) Regulations, 2021.**

Which set out the procedures for enforcement of the rights of the data subjects as well as elaborating on the duties and obligations of the data controllers and data processors. These regulations can be accessed here <https://www.odpc.go.ke/resources/data-protection-general-regulations-2021/>

**2. Data Protection (Registration of Data Controllers and Data Processors) Regulations, 2021.**

The regulations defines the procedure that will be adopted by the Office of the Data Commissioner in registering data controllers and data processors as per the Data Protection Act. These regulations can be accessed here: <https://www.odpc.go.ke/resources/data-protection-registration-of-data-controllers-and-data-processors-regulations-2021>

**3. Data Protection (Compliance and Enforcement) Regulations, 2021.**

These regulations outline the compliance and enforcement provisions for Data Commissioner, Data Controllers and Data Processors. These regulations can be accessed here: <https://www.odpc.go.ke/resources/data-protection-compliance-and-enforcement-regulations-2021/>

In accordance with the Constitution the Ministry invites interested members of the public to submit any representations that they may have on the draft regulations. The representations may be made orally or by written memoranda through:

1. Email addresses [dataprotectionregulations@odpc.go.ke](mailto:dataprotectionregulations@odpc.go.ke) not later than **Tuesday 27<sup>th</sup> April 2021, at 12:00 noon.**
2. WhatsApp platforms on telephone numbers **0796954269-Safaricom, 0752896867-Airtel and 0778048164-Telkom** to be received not later than **Tuesday 27<sup>th</sup> April 2021, at 12:00 noon.**

Further the Ministry invites interested members of the public to a virtual public hearing on the draft regulations as follows:

**Date: 27th April 2021**

**Time: 1400 Hours – 1600 Hours**

**Regulations:** The Data protection (General) Regulations, 2021

**Date: 28th April 2021**

**Time: 1400 Hours – 1600 Hours**

**Regulations:** The Data Protection (Registration of Data Controllers and Data Processors) Regulations, 2021.

**Date: 29th April 2021**

**Time: 1400 Hours – 1600 Hours**

**Regulations:** The Data Protection (Compliance and Enforcement) Regulations, 2021

**Joe Mucheru, EGH  
Cabinet Secretary.**