



Personal
DATA
Protection
OFFICE

**PERSONAL DATA PROTECTION OFFICE
(PDPO)**

**REGISTRATION CLASSIFICATION AND
GUIDANCE NOTE FOR APPLICATION
FOR REGISTRATION/RENEWAL OF
REGISTRATION**

Created: December 2021

Version: 1.3



1. What is registration?

Section 29 (2) of the Data Protection and Privacy Act mandates the Personal Data Protection Office (the Office/PDPO) to register in the data protection register, every person, institution or public body collecting or processing personal data and the purpose for which the personal data is collected or processed.

The principal purpose of registration is to promote transparency. It is one of the principles of data protection that the public should know (or should be able to find out) descriptions of personal data collected or processed as well as other details about the processing (such as why the processing is taking place).

2. Who is required to register?

Every data collector, data processor or data controller is required to register with the Personal Data Protection Office as stipulated by Regulation 15 (1) of the Data Protection and Privacy Regulations.

The Office will by notice in the Gazette, exempt certain data collectors, data processors or data controllers from the requirement to register with the Office. This will be done at a later date, but for now all of them are required to register.

3. Registration with respect to collection or processing personal data for multiple purposes

If a data collector, data processor or data controller collects or processes personal data for two or more purposes, then one is required to indicate this in the application for registration. For the avoidance of doubt, the different purposes for the personal data to be collected or processed should be detailed in a single application.



4. Completing the registration application forms

Although the registration application forms are largely self-explanatory, the following notes indicate the level of detail required to enable your application to be speedily reviewed. Please note that the suggested answers to particular sections of the form are provided for illustrative purposes only, and you will need to amend and/or supplement them to fit the particular circumstances of your institution.

5. Does the registration have to be renewed?

Yes. The registration validity period is one year. You shall apply for renewal within three months before the date of expiry of your registration. The appropriate fees should be included with your signed application for renewal.

All registered data collectors, data processors and data controllers must also submit to the Office an annual compliance report as specified under Regulation 50 within ninety days after the end of every financial year.

6. Change in registered details

A data collector, data processor or data controller must notify the Office in writing of any changes in its registered particulars within 14 days of the occurrence of the change.

7. Failure to register/ renew registration

If you fail to register/ renew registration, this will amount to committing an offence and you will be liable on conviction to a fine or imprisonment not exceeding three months or both.



Where the offence of failure to register is committed by an organisation, the organisation and every officer of the organisation who knowingly and willfully authorizes the contravention commits an offence and is liable, on conviction, to the penalty above and fine specified in the law.

8. Inspection of the Data Protection register

Information on all persons, institutions and public bodies registered with the Office shall be maintained in the data protection register which shall be available for search/inspection by any person free of charge from here. However, a fee of USHS. 25,000 (Uganda Shillings Twenty-Five Thousand) will be paid where a person requests a certified copy of an extract or entry in the register.

BELOW IS AN ILLUSTRATION OF HOW TO COMPLETE FORMS 2 AND 3.

FOR ILLUSTRATIVE PURPOSES ONLY

Regulation 16(1)

FORM 2

APPLICATION FOR REGISTRATION/RENEWAL OF REGISTRATION

To: The Personal Data Protection Office Kampala

APPLICATION FOR REGISTRATION/RENEWAL OF REGISTRATION

Data Collector/Data Processor/Data Controller **(tick whichever is applicable)**

1. Details of applicant

(a) Name of applicant: *State name of organisation as it appears on its certificate of registration/incorporation.*

(b) Physical address of applicant: *State organisation's physical location.*

(c) Telephone No/Email/Fax/ of applicant: *Provide organisation's general telephone number and e-mail address.*



(d) Nature of business of applicant: *Provide a general term that contains all economic activities carried out by an organisation. If it is a Government body, provide its legal mandate.*

2. Details of data protection officer

(a) Name of Data Protection Officer: *Provide an individual's name. Where there is more than one Data Protection Officer, provide only the name of the head of the Data Protection unit.*

(b) Physical address of Data Protection Officer: *State the Data Protection Officer's official physical work address and not that of his/her home.*

(c) Telephone No/Email/Fax/ of Data Protection Officer: *Provide Data Protection Officer's official work telephone number and e-mail address.*

(d) Please state whether Data Protection Officer has other duties in the institution, public body or corporation, and if any, provide details: *State only the job title of the position held in the organisation other than that of a Data Protection Officer.*

3. Description of data to be collected or processed (*be detailed as possible*):

Ideally personal data in most organisations is collected from four (4) sources, that is:

(a) employees,

(b) Clients/customers or regulated persons (for regulators)

(c) Suppliers/contractors/partners; and

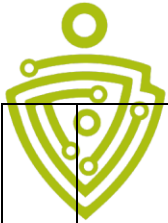
(d) Visitors/guests.

To complete this section in a detailed way as required, it is advisable to present the information as an annexure in a table as shown in Annexure "A" to this Form.

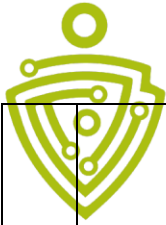


Reference should be made to the various categories/classifications of personal data listed below. Only choose examples that are applicable to your organisation. Where the examples given are not comprehensive, you are advised to add those obtained from your activity of determining what your organisation's departments or units collect (this is technically termed as "data mapping"). You can refer to Annexure "A" to this Form to guide you on how these categories and examples may be presented. Where a category is applicable to all or more than one of the data sources, the table show clearly show this. For example, where "identifiers" as a category is collected from employees, customers, suppliers and visitors, this should be shown in the different sections of the table as shown in the annexure.

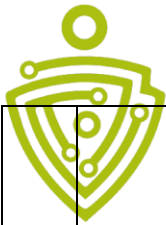
Category/Classification of personal data	Examples
<p>1 Identifiers (This is information uniquely assigned or linked to an individual.)</p>	<ul style="list-style-type: none">• name;• nationality;• age;• marital status;• postal address;• e-mail address;• unique personal or online identifier;• account name;• identification number, symbol or other particulars assigned to a person;• Social Security number;• driver's license or passport number; or



<p>2 Individual's commercial information (Relates to information that shows individual ownership in personal property, such as land, buildings, etc.)</p>	<ul style="list-style-type: none"> • Records of personal property; • Purchasing habits.
<p>3 Sensory data (This information is usually collected from CCTV cameras, call centers or/and photographs taken of individuals)</p>	<ul style="list-style-type: none"> • Audio; • Visual; <p>This includes: photographs, video recordings and voice recordings of individuals.</p>
<p>4 Internet or similar network activity (Information collected from cookies and similar technologies on website pages, e-mails and push notifications)</p>	<ul style="list-style-type: none"> • IP (Internet Protocol) addresses • User log files • Browsing history; • Search history; or • Information regarding a data subject's interaction with a website, application, or advertisement.
<p>5 Geolocation data (Information collected from a user's device which indicates the geographical location of that device, including GPS data.) This includes installation of GPS trackers on vehicles.</p>	<p>Geolocation data</p>



<p>6 Education information (Information which consists of an official confirmation, usually in the form of a certificate, diploma or degree, certifying the successful completion of an education program or a stage of a program of an individual)</p>	<p>Educational qualifications.</p>
<p>7 Professional or employment-related information (Information that employers might collect and keep on any individual who might wish to work, work, or have worked for them). This includes:</p> <ul style="list-style-type: none">• applicants (successful and unsuccessful)• former applicants (successful and unsuccessful)• employees (current and former)• agency staff (current and former)• casual staff (current and former)	<ul style="list-style-type: none">• Professional association membership details;• Performance evaluations;• Disciplinary actions.



<p>8 Inferences drawn from other personal data to create individual profiles (This is where software is used to automatically discover patterns in data sets (where those data sets contain personal data) and use them to make predictions, classifications, or risk scores.</p>	<ul style="list-style-type: none">• Preferences;• Characteristics;• Psychological trends;• Predispositions;• Behaviour;• Attitudes;• Intelligence;• Abilities; or• Aptitudes.
<p>9 Special personal data (This is a category of personal data that needs more protection because it is sensitive.)</p>	<ul style="list-style-type: none">• Racial or ethnic origin;• Political opinion;• Religious or philosophical beliefs;• Political opinion;• Trade union membership• Genetic data;• Biometric data;• Sexual life;• Financial information;• Health status or medical records of an individual.

4. Description of purpose for which data is collected or processed (be detailed as possible)

You should provide a general, but comprehensive, statement of the purpose for which you collect or process personal data provided in section



Here are some examples:

- (a) Collection or processing is authorized or required by law.*
- (b) Necessary for the proper performance of a public duty by a public body.*
- (c) Provide services/products to individuals.*
- e) Staff onboarding and human resource management.*
- (d) Supplier/contractor onboarding and management.*
- (e) For compliance with a legal obligation to which the data controller is subject. (State the specific laws), etc.*
- (f) For general administration*

The above examples of the purposes may be inserted in the table in annexure "A" to this Form.

5. List persons or bodies to whom personal data may be disclosed and purpose for disclosure.

A disclosure of any personal data must be compatible with your specified purpose for collecting or processing the data. You should list in this section any third parties or recipients to whom you make such disclosures. You should note that the inclusion of a particular disclosure in your registration does not, of itself, make disclosure to that person legitimate.

You do not need to include transmissions of personal data to your employees to the extent that such transmissions are necessary to enable them to carry out their duties. Similarly, you do not need to list disclosures which are permitted under Section 17 (3) (c) of the Act, that is, disclosures which are for:

- (a) the prevention, detection, investigation, prosecution or punishment for an offence or breach of law;*
- (b) the enforcement of a law which imposes a pecuniary penalty;*
- (c) the enforcement of legislation that concerns protection of public*



(d) the conduct of proceedings before any court or tribunal that have commenced;

(e) the protection of national security; or

(f) to prevent or mitigate a serious and imminent threat to public health or safety or the life or health of the data subject or another individual.

Refer to the table in annexure "A" on how to provide information required in this section.

6. List countries data may be transferred to, purpose of transfer and brief description of data transferred.

This section relates only to personal data when transferred outside Uganda. Example: A possible transfer of personal data is given below for illustrative purposes.

Application: personnel / payroll / administration		
Country	Purpose of transfer	Description of Data
France	Payroll administration	Staff name, personnel/payroll number, salary details

7. State security measures in place to safeguard data collected or processed.

You should describe the measures you have taken to protect the privacy of the individuals about whom you collect or process their personal data. You should also share a copy of the organisation's Information Security policy.



8. Duration for which data shall be kept.

There are different ways of structuring a data retention policy to meet both regulatory and operational requirements and there is no one-size-fits-all approach for institutions. Each institution should tailor a data retention policy to its own specific circumstances and requirements. Factors to consider may include the culture and industry of the institution, what sort of records are generated and stored, and the structure of the institutions. It is this retention policy that should inform the duration section in filling out the "Application for Registration/Renewal of Registration" Form.

9. Attach written undertaking not to process or store personal data in a country outside Uganda unless such country has adequate measures in place, at least equivalent to the protection provided for by the Act, for the protection of the personal data and the data subject consent to the transfer.

Information in this section is covered by details provided in Form 3 - Undertaking Not To Process Or Store Personal Data Outside Uganda.

10. Any other information required by the Office

I certify that the above information is correct and complete and hereby apply to be registered as data collector/data processor/data controller under the Data Protection and Privacy Act.

Signature of Applicant: (This should be the signature of the person authorized to sign documents of an organisation, such as the Chief Executive Officer or Permanent Secretary for Government Ministries. Such person should his/her name and title against his/her signature).



ANNEXURE “A”

No.	Source	Description of personal data to be collected or processed	Purpose of collection	Persons or bodies to whom it may be disclosed and the purpose
1.	Employees	Identifiers – name, nationality, Tax Identification Number, Social Security Number etc.	Staff onboarding and human resource management	Uganda Revenue Authority for filing of tax returns National Security Fund for contribution of social security benefits
		Records of personal property – land titles	Provision of mortgage services and loans	ABC Debt collectors for collection of debts MNR Advocates for conduct of due diligence on property records ownership
		Sensory data – audio, visual, voice recordings	Provision of physical security services at premises Monitoring of quality of customer care services provided to clients	WQH Guard and Security services for administration of security services AWV Cloud Hosting Services for hosting of data



		Educational information – Educational qualifications	Staff onboarding	Education institutions that awarded the academic documents for verification purposes
2.	Clients/Customers	Identifiers – name, nationality, Tax Identification Number, etc.	Account opening	Legal / Regulatory reporting under the Financial Institutions Act, 2004 and subsequent Regulations
		Records of personal property – land titles	Processing of loan applications	THD Credit Reference Bureau for verification of credit history for customers applying for loan facilities
3.	Suppliers/contractors	Educational information – Educational qualifications	Evaluation of submitted procurement bids.	Uganda Registration Services Bureau for purposes of verification of company directors and signatures on registered Powers of Attorney.
4.	Visitors/Guests	Sensory data – audio, visual	General administration Physical security monitoring	AWT Guard and Security Services for security administration of premises



FOR ILLUSTRATIVE PURPOSES ONLY

Regulation 16(4)

FORM 3

UNDERTAKING NOT TO PROCESS OR STORE PERSONAL DATA OUTSIDE UGANDA

I, State name of organisation as it appears on its certificate of registration/incorporation. Also state its physical location details (insert full name and address of applicant) undertake not to process or store personal data in a country outside Uganda unless such country has adequate measures in place for the protection of personal data at least equivalent to the protection provided for by the Act or permitted under the Act and Regulations made under the Act.

Dated this 18th day of May, 2021.

Declared on this 18th day of May, 2021, at KAMPALA

.....
(state place)

(This should be the signature of the person authorized to sign documents of an organisation, such as the Chief Executive Officer or Permanent Secretary for Government Ministries. Such person should his/her name and title against his/her signature).

Signature of person making undertaking

Before me

(The Commissioner for Oaths should sign and stamp this area).

Commissioner for Oaths



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