

The East African Privacy

Stay Informed, Stay Compliant!



(L-R) Tanzania's PDPC Director General Dr. Emmanuel Mikiia, Kenya's Data Commissioner Immaculate Kassait, and Uganda's National Personal Data Protection Director Baker Birikuja attending the 1st Tanzania Annual Data Privacy Conference.

All is set for Adlegal's BTA Summit Happening this July.

The inaugural Africa Big Tech Accountability (BTA) Summit, convened by Adlegal International, will address the growing challenges posed by technology giants. The Summit will take place from **30th to 31st July 2026** at Mestil Hotel and Residences in Kampala, Uganda, under the theme Big Tech, Data Governance, and Competition Policy in Africa's Digital Economy. Day one will focus on data protection, while day two will cover competition and consumer rights. The Summit is expected to bring together experts from across Africa and beyond. Confirmed speakers include **Dr. Vellah Kedogo Kigwiru** (Kenya), **Babatunde Irukera** (Nigeria), **Mercy Mutemi** (Kenya), **Dr. Faith Amarachi Okpara** (Nigeria), **Olumide Babalola** (Nigeria), and **Dr. Patricia Boshe** (Tanzania). Other confirmed speakers include **Anita Nantale** (Uganda), **Dr. Henry Peter Adonyo** (Uganda), **Jérémie Jourdan** (France), **Jeremy Andre** (France),

(Continued on Page 2)

More in the Issue

■ Uganda

- Data Protection regulator issues first decision involving government entity, offers clarity on third party right to access.
- Data Protection Practitioners forum releases guidance note on processing of personal data at events.
- Businesswoman convicted over unlawfully obtaining personal data.

■ Kenya

- High Court finds that the large-scale transfer and processing of patient's data through digital platforms raises constitutional privacy concerns.
- High Court sets aside ODPC decision for failure to follow fair administrative action and natural justice principles.
- Government plans to monetize public data.

■ Tanzania

- Regulator hosts inaugural Annual Data Privacy Conference.

■ Across Africa

- Nigerian regulator released guidance note on continuous professional development for data protection officers.
- Mauritius Cabinet approves new Data Protection Officer Regulations, coming into force January 2027.

Prof. Dr. Thomas Höppner (Germany), and **Leonard Otuonye Ugbajah** (Nigeria), with more to be announced. Confirmed event partners include the Africa Digital Rights Hub, Data Privacy Lawyers Association of Kenya, Africa Competition & Consumer Protection Centre, DPO Privacy Centre (East Africa), CIO-CxO Digital Leadership Forum, East African Community Competition Authority, Alba Advocates, and Datavara Tech Solutions. Registration fees are USD 290 for in-person attendance and USD 150 for online attendance, with limited slots remaining.

From the Editors

Welcome to the third issue of ***The East African Privacy Monthly*** – your regional compass for data protection and privacy developments. June 2026 was a month of significant activity across the region. Uganda recorded a third criminal conviction under its data protection framework, Kenya's courts delivered two important privacy-related decisions, and global developments included a major investigation into AI-generated deepfakes and renewed debate in the United Kingdom on restricting social media access for children. There is much to unpack. We are pleased to bring you concise, insightful coverage from across the region and beyond.

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East Africa

Uganda

Data Protection Regulator Issues First Decision Involving Government Entity, Offers Clarity On Third Party Right to Access.

On 28th May 2026, the Personal Data Protection Office (PDPO) in **Muzira Patrick Mark v National Identification and Registration Authority (NIRA) (Complaint No. PDPO 096/2025)** issued its first decision involving a government entity, finding that the National Identification and Registration Authority (NIRA) did not act unlawfully in declining to release National Identification Register records relating to 10 data subjects to a private complainant without their consent

The Office held that the right of access under the Act belongs to a data subject in respect of their own personal data and cannot be used by one person to obtain another's data; and that NIRA was entitled to require compliance with the special access regime under the Registration of Persons Act and Access and Use of Information Regulations, including consent or a recognised no-consent ground, before releasing Register information to a private applicant. The complaint was accordingly not upheld.

Data Protection Practitioners Forum Releases Guidance Note On Processing of Personal Data at Events.

On 25th June 2026, the Forum for Data Protection Practitioners in Uganda (FDPPUG)

published a practical guidance note on the processing of personal data at events. Uganda's events industry is significant, yet awareness of data protection obligations among organisers and service providers remains low. The guidance note covers, among other things, the lawful bases for collecting personal data at events, the meaning and limits of consent, obligations of event organisers and service providers, the rights of attendees as data subjects, and practical tools for managing photography, live streams, and third-party vendors. The publication uses Uganda-based examples to make compliance clear, relatable, and actionable.

Businesswoman Convicted Over Unlawfully Obtaining Personal Data.

A Magistrate's Court in Kampala recently convicted a businesswoman, on her own plea of guilty, for unlawfully obtaining and disclosing a client's personal data. She was fined UGX 100,000, or two months' imprisonment in default. This is the third criminal conviction under Uganda's data protection framework, following the second conviction in the previous month. This rapid succession of convictions signals a clear escalation in enforcement activity and serves as a firm warning to non-compliant data controllers and collectors across the country.

Kenya

High Court Finds That the Large-Scale Transfer and Processing of Patient's Data Through Digital Platforms Raises Constitutional Privacy Concerns.

On 11th June 2026, the High Court of Kenya in *Dr. Gladys Mwango & Others v Ministry of Health & Others*, Petition No. E351 of 2024 delivered an important reminder that health data governance cannot be an afterthought in digital health innovation.

The Court recognised that the large-scale transfer and processing of patients' radiology images and medical histories through digital platforms raises legitimate constitutional concerns around privacy, accountability and patient protection. It rejected the argument that affected parties must first exhaust statutory mechanisms before approaching the High Court where credible threats to constitutional rights are alleged, affirming that Article 31 privacy claims relating to sensitive health data deserve judicial attention. The judgment also emphasised that the absence of fully operational regulations does not create a regulatory vacuum within which health data can be processed without oversight.

The decision highlighted several unresolved data governance questions for Kenya's digital health ecosystem, including consent,

cross-border data flows, accountability, regulatory oversight, transparency, and institutional responsibility.

High Court Sets Aside ODPC Decision for Failure to Follow Fair Administrative Action and Natural Justice Principles.

The High Court of Kenya has delivered an important reminder in *Platinum Credit Limited v Data Protection Commissioner & Anor Civil Appeal No. E282 of 2025* that while data controllers bear statutory responsibility for unlawful processing of personal data, enforcement actions by regulators must also comply with the principles of fair administrative action and natural justice.

The Court affirmed that organisations cannot avoid liability for data protection breaches merely by distancing themselves from agents or third parties acting for their commercial benefit.

However, the Court set aside the determination of the Office of the Data Protection Commissioner (ODPC) after finding that key evidence relied upon during the investigation had not been disclosed to the appellant, thereby denying it an opportunity to respond. The Court allowed the appeal due to lack of procedural fairness.

The decision underscores critical lessons for Kenya's privacy ecosystem: first, that data controllers must maintain robust controls over

agents, marketers and third parties handling personal data; and second, that regulatory enforcement processes must ensure procedural fairness, transparency and the right to be heard at every stage.

Kenyan Government Plans to Monetize Public Data.

Kenya is laying the groundwork to commercialise anonymised data generated through its government digital platforms, in a move that could make it one of the first African countries to establish a formal public data marketplace.

The Ministry of Information, Communications and the Digital Economy (MICTDE) has proposed a National Data Governance Policy that would formally designate data as a strategic national asset and create the commercial and regulatory infrastructure to monetise it.

Under the proposal, a new National Data Governance and Emerging Technologies Council would be established to aggregate datasets from across government institutions and oversee their sale to businesses, researchers, non-governmental organisations, and innovators. The council targets making at least 1,000 datasets available over a five-year period. The marketplace is estimated to cost approximately KShs 396 million (around USD 3

million) to develop and operate. The proposal has attracted significant public debate, with critics raising concerns about consent, re-identification risks, institutional trust, and the adequacy of Kenya's existing enforcement mechanisms to safeguard citizens' interests in a data marketplace.

Non-personal datasets earmarked for commercialisation from the eCitizen platform include business registration trends, passport and immigration application volumes by region, birth, death and marriage registration statistics, vehicle registration data, and land transaction volumes. Data from the Kenya National Bureau of Statistics and other State agencies would also be aggregated into the platform, alongside datasets such as traffic flow patterns and regional crop production figures. Personal data, including names, phone numbers, national identification numbers, and images, is explicitly excluded under Kenya's data protection laws

The policy draws on comparable models already operating elsewhere. Singapore provides tiered public data access, while the UK's Ordnance Survey generates an estimated \$263 million annually from geospatial data licensing to private sector developers. The public participation window for the draft policy closed on 5th June 2026, with implementation expected to begin in July 2026.

Tanzania

Data Protection Regulator Hosts Inaugural Annual Data Privacy Conference

From 29th June to 1st July 2026, the Personal Data Protection Commission of Tanzania (PDPC) hosted the inaugural Tanzania Annual Data Privacy Conference in Dar-es-Salaam. The three day event was held under the theme "Data Privacy as the Pillar: Securing an Inclusive Digital Future Towards Vision 2050" and drew over 800 delegates from Tanzania and across the region including government institutions, regulators, technology experts, legal practitioners, and academia.

The conference was opened by Deputy Minister for Communication and Information Technology, Dr Switbert Zacharia Mkama, on behalf of the Minister. In his opening remarks, Dr Mkama directed all public and private institutions to treat personal data protection as a governance priority rather than a technical obligation. "The digital economy cannot be built on technology alone. It requires a high level of trust and confidence in how personal data is

collected, processed and protected,” he said. He further directed the PDPC to intensify public awareness campaigns, conduct compliance inspections, and strengthen regional and international cooperation to facilitate secure cross-border data flows.

A highlight of the conference was a panel discussion featuring Kenya’s Data Commissioner Immaculate Kassait, PDPC Director General Dr Emmanuel Mkilia, and Uganda’s National Personal Data Protection Director Baker Birikujja. Commissioner Kassait called for greater regional cooperation and the harmonisation of data protection laws across East Africa to strengthen digital trust and facilitate cross-border data flows. She highlighted Kenya’s progress in digital complaints management and its pursuit of international recognition in data governance. Baker Birikujja shared Uganda’s experience of establishing its data protection office without an initial budget, underscoring the practical challenges facing newer regulatory bodies in the region.

A significant milestone disclosed at the conference was that Tanzania had registered approximately 16,000 Data Protection Officers by the time of the event, reflecting the rapid growth of the country’s compliance ecosystem following the commencement of full enforcement on 9th April 2026. The conference is expected to yield practical recommendations for strengthening data protection systems in support of Tanzania’s National Development Vision 2050, which targets a \$1 trillion economy and a per capita income of at least \$7,000 by 2050.

Across Africa

Nigeria

Nigerian Regulator Released Guidance Note On Continuous Professional Development for Data Protection Officers.

On 26th May 2026, the Nigeria Data Protection Commission (NDPC) released a guidance note on continuous professional development (CPD) for data protection officers. The guidance note sets out professional development standards and stages for all DPOs, which must be verifiable by the Commissioner as part of the Compliance Audit Return and registration process under the Nigerian Data Protection Act, 2023.

Nigerian Regulator Released Guidance Note On Continuous Professional Development for Data Protection Officers.

On 11th June 2026, the High Court of Nigeria in *Abdulmalik Onimisi v Guaranty Trust Holding Company Plc Suit No. FHC/ABJ/CS/1181/2025* held that the controller violated the applicant’s right to privacy and his right to object by sending him unsolicited direct marketing messages without his consent and persisting even after receiving an explicit objection request. The court ordered the respondent to cease sending further messages, to disclose the source from which it obtained the applicant’s personal data, and awarded N200,000 as general damages and N50,000 in costs.

Mauritius

Cabinet approves new data protection regulations.

Mauritius's Cabinet approved the Data Protection (Designation, Tasks and Position of Data Protection Officers) Regulations 2026, which will come into force on 1st January 2027, following a six-month moratorium period.

Experts have raised the question of why there is a need to further regulate the DPO position when the Data Protection Act 2017 already requires organisations to appoint one. According to Thajvee Nathoo, a lawyer with

Dentons Mauritius, the answer lies in the implementation gap: while the Act established the obligation to designate a DPO, it provided limited guidance on qualifications, independence, reporting lines and practical responsibilities. In practice, organisations adopted different approaches, often treating the role as a compliance formality rather than a core governance function.

The new Regulations seek to change that by formalising the DPO's role and responsibilities, including: monitoring compliance; overseeing the implementation of data security measures; promoting awareness and training; and acting as liaison with the Data Protection Office.

Global Privacy Watch

Canada

Privacy Commissioner of Canada Finds X Corp. and xAI Violated Privacy Law Over Grok's AI-generated Sexualised Deepfakes.

On 11th June 2026, Privacy Commissioner Philippe Dufresne found that X Corp. (operator of the platform X) and xAI (developer of the Grok chatbot) violated Canada's federal private-sector privacy law, PIPEDA. The investigation was opened in January 2026 following reports that Grok's AI image-generation tool had produced millions of sexualised deepfakes of real, identifiable individuals, at one point generating over 6,000 such images per hour, including images of children. The Commissioner found that neither company obtained valid consent to collect and use personal information to generate sexualised deepfakes, and that no reasonable person would consider such use appropriate. The companies argued that users, not the platforms, were responsible for generated content. The Office disagreed, finding that X Corp. and xAI built, deployed, and hosted the tools in commercial activity and therefore bore accountability. The Privacy Impact Assessment for Grok Imagine was not completed until March 2026, eight months after the tool's July 2025 launch, and failed to identify foreseeable misuse risks.

The Office recommended suspending Grok Imagine until safeguards are proven and establishing independent third-party audits. While X Corp. and xAI disagreed with several conclusions, they committed to quarterly reporting and a number of corrective measures. Commissioner Dufresne used the decision to renew his public call for modernised Canadian privacy legislation with order-making powers and the ability to impose fines, tools he noted are standard in comparable international regimes.

United Kingdom

UK Government Promises To Ban Social Media For Under-16s.

On 15th June 2026, then-UK Prime Minister Keir Starmer formally announced a ban on social media for all users under 16, covering platforms including Snapchat, TikTok, YouTube, Instagram, Facebook, and X, while excluding messaging services like WhatsApp and Signal. Starmer stated the government would go further than Australia's comparable ban, also blocking harmful functions such as livestreaming and communication with strangers for under-16s on gaming and other online services.

Regulations are expected to be laid before Parliament by the end of 2026 and to come into force by Spring 2027. Platforms that fail to take reasonable steps to exclude under-16s face significant fines. Starmer subsequently announced his resignation as Labour leader and Prime Minister on 22nd June 2026, following a loss of confidence within his parliamentary party. He will remain in post as caretaker until a new leader is selected, with nominations closing on 16th July 2026. The ban, having already been formally announced and backed by legislation currently before Parliament, is expected to proceed under any successor government.

DID YOU KNOW?

Grok, xAI's AI image generation tool, was generating over 6,000 sexualised deepfake images per hour at its peak, and its Privacy Impact Assessment was not completed until eight months after the tool launched!



About DPO Privacy Centre (East Africa)

DPO Privacy Centre (East Africa) is a regional hub supporting Data Protection Officers, legal practitioners, and organisations across East Africa in navigating data privacy compliance. We provide training, advisory services, including outsourced DPO services, policy advocacy, awareness, and publications such as this newsletter to foster a culture of privacy in the region. Our aim is to lead and enrich privacy discussions across East Africa.

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