Document Title: Republic of Ghana Data Protection Act, 2012 Act 843

Assented: l0 May 2012

**Ghana Data Protection Act**

**Short Title**

An Act to establish a Data Protection Commission, to protect the privacy of the individual and personal data by regulating the processing of 7 personal information, to provide the process to obtain, hold, use or disclose personal information and for related matters.

**Summary of Relevant Sections of the Act**

Privacy of the individual

Section 17 lays out the privacy principles for processing data which are: accountability, lawfulness of processing, speciﬁcation of purpose, compatibility of further processing with purpose of collection, quality of information, openness, data security safeguards, and data subject participation.

In addition, section 18 requires a person who processes personal data to ensure that such processing is done under three conditions: without infringing the privacy rights of the data subject; in a lawful manner; and in a reasonable manner.

Other provisions on privacy are that foreign data subjects data to be processed in accordance with their country of origin. In addition the principles of purpose (necessity, relevance and non excessive), consent justification and objection, right to object, specificity, making data subject aware of purpose of collection, retention, further processing, quality of information, security, access to information and correction of data are provided for.

Sections 37-45 provide for processing of personal data while sections 60 to 74 spell out the exemptions under the Act. These include national security, crime and taxation, health, education and social work, professional privilege and confidential references given by a data controller.

Additional information:

There are several countries in Africa with data protection/privacy laws. These include Angola, Benin, Burkina Faso, Gabon, Ghana, Lesotho, Mali, Mauritius, South Africa and Tunisia. Ghana is a sample of the other African laws.