**Ghana’s Data Protection Act, 2012**

I have cited verbatim sections of the statute that could possibly confer requirements on a new gTLD directory service:

**Privacy of the individual**

17. A person who processes data shall take into account the privacy of the individual by applying the following principles: (a) accountability, (b) lawfulness of processing, (c) specification of purpose, (d) compatibility of further processing with purpose of collection, (e) quality of information, (f) openness, (g) data security safeguards, and (h) data subject participation.

Sections 19 to further elaborate these principles by providing for:

1. minimality,
2. Consent, justification and objection,
3. how personal data may be collected (directly except where it is in public record, there is consent, no prejudice is likely to be suffered, for purposes of crime prevention, enforcement of the law, conduct of judicial proceedings, protection of national security or protection of a third party’s interests), compliance would prejudice a lawful purpose or compliance is not reasonably practicable
4. Collection of data for specific purpose
5. Data subject to be made aware of purpose of collection
6. Retention of records where the guidelines are that:
7. the retention of the record is required or authorised by law,
8. the retention of the record is reasonably necessary for a lawful purpose related to a function or activity,
9. retention of the record is required by virtue of a contract between the parties to the contract, or
10. the data subject consents to the retention of the record.
11. Further processing to be compatible with purpose of collection
12. Quality of information

Registration of data controller is necessary and section 27 states that

27. (1) A data controller who intends to process personal data shall register with the Commission.

(2) A data controller who intends to collect personal data shall ensure that the data subject is aware of:

1. the nature of the data being collected;
2. the name and address of the person responsible for the collection;
3. the purpose for which the data is required for collection;
4. whether or not the supply of the data by the data subject is discretionary or mandatory;
5. the consequences of failure to provide the data;
6. the authorised requirement for the collection of the informa- tion or the requirement by law for its collection;
7. the recipients of the data;
8. the nature or category of the data; and
9. the existence of the right of access to and the right to request rectification of the data collected before the collection.

Other possible requirements for a data processor are there must be security of the data (Section 28) and that data must be processed by an authorised person (section 29). Data subjects have a right to access the data and the law specifies how the data controller is to provide the access. Specifically, the data controller must notify the data subject that their (personal) data is being sought.

This law also specifies how the right of access to personal data may be exercised in section 35.