

DATA PROTECTION LAWS OF THE WORLD

Namibia



Downloaded: 10 May 2024

NAMIBIA



Last modified 18 January 2024

LAW

Namibia recognises the right to privacy as a fundamental human right under Article 13 of the Namibian Constitution. Accordingly, all persons have a right to privacy in their homes and communications. The right to privacy is limited as required by law and in the interest of protecting:

- national security and public safety;
- the nation's economy;
- health and morals;
- against disorder and crime;
- the rights and freedoms of others.

Save for the constitutional right to privacy, Namibia has not enacted comprehensive data privacy legislation. However, various sector-specific laws are in place to protect client information, including in the legal and banking sectors.

The Namibian Government has published the Draft Data Protection Bill, 2021. The objectives of this draft Bill are to:

- establish a Data Protection Supervisory Authority and to provide for its powers, duties and functions;
- establish obligations of data controllers and processors;
- make provision for the regulation of the processing of information relating to individuals in order to protect the fundamental rights and freedoms of individuals, and in particular, their right to privacy concerning the processing of such information;
- provide for the rights of individuals about whom information is processed;
- provide for restrictions and exceptions under the provisions of this Act; and
- provide for codes of conduct of controllers and processors and for matters connected therewith.

DEFINITIONS

Definition of Personal Data

Not defined.

Definition of Sensitive Personal Data

Not defined.

NATIONAL DATA PROTECTION AUTHORITY

There is no national data protection authority in Namibia.

REGISTRATION

There is no registration requirement.

DATA PROTECTION OFFICERS

MICT

COLLECTION & PROCESSING

There are no restrictions on the collection and processing of personal data.

TRANSFER

There are no data transfer restrictions in place.

SECURITY

There are no data security requirements.

BREACH NOTIFICATION

There are no requirements to report data breaches to any individual or regulatory body.

ENFORCEMENT

There is no enforcement mechanism in place.

ELECTRONIC MARKETING

There are no electronic marketing regulations.

ONLINE PRIVACY

There are no specific laws that regulate the manner in which personal data may be stored or transmitted online.

KEY CONTACTS



Peter Johns

Director

Ellis Shilengudwa Incorporated

T +264 61 242224

peter@esinamibia.com

DATA PRIVACY TOOL

You may also be interested in our [Data Privacy Scorebox](#) to assess your organization's level of data protection maturity.

Disclaimer

DLA Piper is a global law firm operating through various separate and distinct legal entities. Further details of these entities can be found at www.dlapiper.com.

This publication is intended as a general overview and discussion of the subjects dealt with, and does not create a lawyer-client relationship. It is not intended to be, and should not be used as, a substitute for taking legal advice in any specific situation. DLA Piper will accept no responsibility for any actions taken or not taken on the basis of this publication.

This may qualify as 'Lawyer Advertising' requiring notice in some jurisdictions. Prior results do not guarantee a similar outcome.

Copyright © 2022 DLA Piper. All rights reserved.